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इस भाग में भिन्न पृष्ठ संख्या दी जाती है जिससे कि यह पृथक संकलन के रूप में रखा जा सके  
Separate Paging is given to this Part in order that it may be filed as a separate compilation

भाग II—खण्ड 3—उप-खण्ड (ii)  
PART II—Section 3—Sub-section (ii)

भारत सरकार के मंत्रालयों (रक्षा मंत्रालय को छोड़कर) द्वारा जारी किए गए सांविधिक आदेश और अधिसूचनाएं  
Statutory Orders and Notifications Issued by the Ministries of the Government of India  
(Other than the Ministry of Defence)

वित्त मंत्रालय

(राजस्व विभाग)

केन्द्रीय प्रत्यक्ष कर बोर्ड

नई दिल्ली, 9 जून, 2006

(आयकर)

का.आ. 2549.—आयकर अधिनियम, 1961 (1961 का 43) की धारा 10 के खंड (23ग) के उपखंड (iv) द्वारा प्रदत्त शक्तियों का प्रयोग करते हुए, केन्द्र सरकार, एतद्वारा यह अधिसूचित करती है कि “पेट्रोलियम प्लानिंग एण्ड एनालिसिस सैल, द्वितीय कोर-8 स्कोप कॉम्प्लैक्स, 7 इंस्टीट्यूशनल एरिया, लोधी रोड, दिल्ली” (इसके बाद “संस्था”) के नाम पर प्राप्त की गई कोई आय निम्नलिखित शर्तों के अधधीन कर निर्धारण वर्ष 2003-04 से 2005-06 तक के लिए ऐसे व्यक्ति की कुल आय में कराधेय आय के रूप में शामिल नहीं की जाएगी :

- (i) संस्था अपनी आय का इस्तेमाल अथवा अपनी आय का इस्तेमाल करने के लिए उसका संचयन पूर्णतया तथा अनन्यतया उन उद्देश्यों के लिए करेगी जिनके लिए इसकी स्थापना की गई है तथा उस मामले में जहां इसकी पंद्रह प्रतिशत से अधिक आय अप्रैल, 2002 के पहले दिन में या उसके पश्चात् आय

एकत्र की गई है, इसकी आय के संचयन की राशि के पन्द्रह प्रतिशत से अधिक होने की अवधि किसी भी स्थिति में पाँच वर्ष से अधिक नहीं होनी चाहिए ;

- (ii) संस्था उपर्युक्त कर निर्धारण वर्षों से संगत पूर्ववर्ती वर्षों की किसी भी अवधि के दौरान धारा 11 की उपधारा (5) में विनिर्दिष्ट किसी एक अथवा एक से अधिक ढंग अथवा तरीकों से भिन्न तरीकों से अपनी निधि (जेवर-जवाहिरात, फर्नीचर आदि के रूप में प्राप्त तथा अनुरक्षित स्वैच्छिक अंशदान से भिन्न) का निवेश नहीं करेगा अथवा उसे जमा नहीं करेगा;
- (iii) यह अधिसूचना किसी ऐसी आय के संबंध में लागू नहीं होगा, जो कि कारोबार से प्राप्त लाभ तथा अभिलाभ हो जब तक कि ऐसा कारोबार संस्था के उद्देश्यों की प्राप्ति के लिए प्रासंगिक नहीं हो तथा ऐसे कारोबार के संबंध में अलग से लेखा-पुस्तिकाएं नहीं रखी जाती हों;
- (iv) संस्था आयकर अधिनियम, 1961 के प्रावधानों के अनुसार अपनी आय विवरणी नियमित रूप से आय कर प्राधिकारी के समक्ष फाइल करेगा;

- (v) संस्था के विघटन की स्थिति में अतिरिक्त राशियाँ और परिसम्पत्तियाँ समान उद्देश्यों वाले धर्मार्थ संगठन को दे दी जाएंगी।

यह अधिसूचना केवल संस्था की ओर से आय के प्राप्तकर्ता पर ही लागू होगी न कि इस तरह के प्राप्तकर्ता द्वारा किसी प्राप्ति अथवा आय पर। संस्था की कराधेयता अथवा अन्यथा आय पर, आयकर अधिनियम, 1961 के उपबंधों के अनुसार वृथक रूप से विचार किया जाएगा।

[अधिसूचना सं. 135/2006/फा. सं. 197/28/2006-आयकर नि.-1]

दीपक गर्ग, अवर सचिव

## MINISTRY OF FINANCE

(Department of Revenue)

### CENTRAL BOARD OF DIRECT TAXES

New Delhi, the 9th June, 2006

#### (INCOME-TAX)

**S.O. 2549.**—In exercise of the powers conferred by the sub-clause (iv) of clause (23C) of Section 10 of the Income-tax Act, 1961 (43 of 1961), the Central Government hereby notifies that any income received by any person on behalf of "Petroleum Planning and Analysis Cell, 2nd Floor, Core-8, Scope Complex, 7 Institutional Area, Lodhi Road, New Delhi" (hereinafter referred to as the "Institution") shall not be included in the total income of such person as assessable for the assessment years 2003-2004 to 2005-2006, subject to the following conditions namely:—

- (i) the institution will apply its income, or accumulate for application, wholly and exclusively to the objects for which it is established and in a case where more than fifteen per cent of its income is accumulated on or after the 1st day of April, 2002, the period of the accumulation of the amount exceeding fifteen per cent of its income shall in no case exceed five years;
- (ii) the institution will not invest or deposit its fund (other than voluntary contributions received and maintained in the form of jewellery, furniture etc.) for any period during the previous years relevant to the assessment years mentioned above otherwise than in any one or more of the forms or modes specified in sub-section (5) of Section 11;
- (iii) this notification will not apply in relation to any income being profits and gains of business, unless the business is incidental to the attainment of the objectives of the Institution and separate books of account are maintain in respect of such business;
- (iv) the institution will regularly file its return of income before the Income-tax authority in accordance with the provisions of the Income-tax Act, 1961;

- (v) that in the event of dissolution of the Institution, its surplus and the assets will be given to an organization with similar objectives.

This notification is applicable only to the recipients of income on behalf of the Institution and not to any other receipt or income of such recipients. Taxability, or, otherwise, of the income of the Institution would be separately considered as per the provisions of the Income-tax Act, 1961.

[Notification No. 135/2006/F. No. 197/28/2006-ITA-I]

DEEPAK GARG, Under Secy.

नई दिल्ली, 9 जून, 2006

( आयकर )

**का.आ. 2550.**—आयकर अधिनियम, 1961 (1961 का 43) की धारा 10 के खंड (23ग) के उपखंड (iv) द्वारा प्रदत्त शक्तियों का प्रयोग करते हुए, केन्द्र सरकार, एतद्वारा यह अधिसूचित करती है कि "आर्य वैद्यशाला, कोट्टक्कल" (इसके बाद "संस्था") के नाम पर प्राप्त की गई कोई आय निम्नलिखित शर्तों के अध्वधीन कर निर्धारण वर्ष 2004-05 से 2006-07 तक के लिए ऐसे व्यक्ति की कुल आय में कराधेय आय के रूप में शामिल नहीं की जाएगी :

- (i) संस्था अपनी आय का इस्तेमाल अथवा अपनी आय का इस्तेमाल करने के लिए उसका संचयन पूर्णतया तथा अनन्यतया उन उद्देश्यों के लिए करेगी जिनके लिए इसकी स्थापना की गई है तथा उस मामले में जहां इसकी पंद्रह प्रतिशत से अधिक आय अप्रैल, 2002 के पहले दिन में या उसके पश्चात् आय एकत्र की गई है, इसकी आय के संचयन की राशि के पंद्रह प्रतिशत से अधिक होने की अवधि किसी भी स्थिति में पाँच वर्ष से अधिक नहीं होनी चाहिए।
- (ii) संस्था उपर्युक्त कर निर्धारण वर्षों से संगत पूर्ववर्ती वर्षों की किसी भी अवधि के दौरान धारा 11 की उपधारा (5) में विनिर्दिष्ट किसी एक अथवा एक से अधिक ढंग अथवा तरीकों से भिन्न तरीकों से अपनी निधि (ज्वर-जवाहिरात, फर्नीचर आदि के रूप में प्राप्त तथा अनुरक्षित स्वैच्छिक अंशदान से भिन्न) का निवेश नहीं करेगा अथवा उसे जमा नहीं करेगा;
- (iii) यह अधिसूचना किसी ऐसी आय के संबंध में लागू नहीं होगा, जो कि कारोबार से प्राप्त लाभ तथा अभिलाभ हो जब तक कि ऐसा कारोबार संस्था के उद्देश्यों की प्राप्ति के लिए प्रासंगिक नहीं हो तथा ऐसे कारोबार के संबंध में अलग से लेखा-पुस्तिकाएं नहीं रखी जाती हों;
- (iv) संस्था आयकर अधिनियम, 1961 के प्रावधानों के अनुसार अपनी आय विवरणी नियमित रूप से आय कर प्राधिकारी के समक्ष फाइल करेगा;
- (v) संस्था के विघटन की स्थिति में अतिरिक्त राशियाँ और परिसम्पत्तियाँ समान उद्देश्यों वाले धर्मार्थ संगठन को दे दी जाएगी।

यह अधिसूचना केवल संस्था की ओर से आय के प्राप्तकर्ता पर ही लागू होगी न कि इस तरह के प्राप्तकर्ता द्वारा किसी प्राप्ति अथवा आय पर। संस्था की कराधेयता अथवा अन्यथा आय पर, आयकर अधिनियम, 1961 के उपबंधों के अनुसार पृथक् रूप से विचार किया जाएगा।

[अधिसूचना सं. 136/2006/फा. सं. 197/119/2004-आयकर नि.-I]

दीपक गर्ग, अवर सचिव

New Delhi, the 9th June, 2006

**(INCOME-TAX)**

**S.O. 2550.**—In exercise of the powers conferred by sub-clause (iv) of clause (23C) of Section 10 of the Income-tax Act, 1961 (43 of 1961), the Central Government hereby notifies that any income received by any person on behalf of “**Arya Vaidya Sala, Kattakkal**” (hereinafter referred to as the ‘Institution’) shall not be included in the total income of such person as assessable for the assessment years **2004-2005 to 2006-2007**, subject to the following conditions namely :—

- (i) the Institution will apply its income, or accumulate for application, wholly and exclusively to the objects for which it is established and in a case where more than fifteen per cent of its income is accumulated on or after the 1st day of April, 2002, the period of the accumulation of the amount exceeding fifteen per cent of its income shall in no case exceed five years;
- (ii) the Institution will not invest or deposit its fund (other than voluntary contributions received and maintained in the form of jewellery, furniture etc.) for any period during the previous years relevant to the assessment years mentioned above otherwise than in any one or more of the forms or modes specified in sub-section (5) of Section 11;
- (iii) this notification will not apply in relation to any income being profits and gains of business, unless the business is incidental to the attainment of the objectives of the Institution and separate books of account are maintained in respect of such business;
- (iv) the Institution will regularly file its return of income before the Income-tax authority in accordance with the provisions of the Income-tax Act, 1961;
- (v) that in the event of dissolution of the Institution, its surplus and the assets will be given to an organization with similar objectives.

This notification is applicable only to the recipients of income on behalf of the Institution and not to any other receipt or income of such recipients. Taxability, or, otherwise, of the income of the Institution would be separately considered as per the provisions of the Income-tax Act, 1961.

[Notification No. 136/2006/F. No. 197/119/2004-ITA-I]

DEEPAK GARG, Under Secy.

नई दिल्ली, 15 जून, 2006

**( आयकर )**

**का.आ. 2551.**—आयकर अधिनियम, 1961 (1961 का 43) की धारा 10 के खंड (23ग) के उपखंड (v) द्वारा प्रदत्त शक्तियों का प्रयोग करते हुए केन्द्र सरकार एतद्वारा यह अधिसूचित करती है कि “**श्री श्री जगतगुरु शंकराचार्य महासम्स्थानम् दक्षिणामनया, श्री शारदा पीठम्, सर्नगेरी**” (इसके बाद “संस्था” कहा गया है) की ओर से किसी व्यक्ति द्वारा प्राप्त की गई कोई आय निम्नलिखित शर्तों के अधधीन कर निर्धारण वर्ष **2005-06 से 2007-2008 तक** के लिए ऐसे व्यक्ति की सकल आय में कराधेय आय के रूप में शामिल नहीं की जाएगी :

- (i) संस्था अपनी आय का इस्तेमाल अथवा अपनी आय का इस्तेमाल करने के लिए उसका संचयन पूर्णतया तथा अनन्यतया उन उद्देश्यों के लिए करेगी जिनके लिए इसकी स्थापना की गई है तथा उस मामले में जहां इसकी पंद्रह प्रतिशत से अधिक आय 1 अप्रैल, 2002 के पहले दिन को या उसके पश्चात् आय एकत्र की गई है, इसकी आय के संचयन की राशि के पंद्रह प्रतिशत से अधिक होने की अवधि किसी भी स्थिति में पाँच वर्ष से अधिक नहीं होनी चाहिए।
- (ii) संस्था उपर्युक्त कर निर्धारण वर्षों से संगत पूर्ववर्ती वर्षों की किसी भी अवधि के दौरान धारा 11 की उपधारा (5) में विनिर्दिष्ट किसी एक अथवा एक से अधिक ढंग अथवा तरीकों से भिन्न तरीकों से अपनी निधि (जेवर-जवाहिरात, फर्नीचर आदि के रूप में प्राप्त तथा अनुरक्षित स्वैच्छिक अंशदान से भिन्न) का निवेश नहीं करेगा अथवा उसे जमा नहीं करेगा;
- (iii) यह अधिसूचना किसी ऐसी आय के संबंध में लागू नहीं होगी, जो कि कारोबार से प्राप्त लाभ तथा अभिलाभ हो जब तक कि ऐसा कारोबार संस्था के उद्देश्यों की प्राप्ति के लिए प्रासंगिक नहीं हो तथा ऐसे कारोबार के संबंध में अलग से लेखा-पुस्तिकाएं नहीं रखी जाती हों;
- (iv) संस्था आयकर अधिनियम, 1961 के प्रावधानों के अनुसार अपनी आय विवरणी नियमित रूप से आय कर प्राधिकारी के समक्ष दाखिल करेगा;
- (v) विघटन की स्थिति में संस्था की अतिरिक्त राशियाँ और परिसम्पत्तियाँ समान उद्देश्यों वाले धर्मार्थ संगठन को दे दी जाएगी।

यह अधिसूचना केवल संस्था की ओर से आय के प्राप्तकर्ता पर ही लागू होगी न कि इस तरह के प्राप्तकर्ता द्वारा किसी अन्य प्राप्ति अथवा आय पर। संस्था की कराधेयता अथवा अन्यथा आय पर, आयकर अधिनियम, 1961 के उपबंधों के अनुसार पृथक् रूप से विचार किया जाएगा।

[अधिसूचना सं. 141/2006/फा. सं. 197/07/2006-आयकर नि.-I]

दीपक गर्ग, अवर सचिव

New Delhi, the 15th June, 2006

नई दिल्ली, 29 जून, 2006

## (INCOME-TAX)

## (आयकर)

**S.O. 2551.**—In exercise of the powers conferred by sub-clause (v) of clause (23C) of Section 10 of the Income-tax Act, 1961 (43 of 1961), the Central Government hereby notifies that any income received by any person on behalf of “Sri Sri Jagatguru Shankaracharya Mahasamsthanam Dakshinamnaya, Sri Sharada Peetham, Sirngeri” (hereinafter referred to as the ‘Institution’) shall not be included in the total income of such person as assessable for the assessment years 2005-2006 to 2007-2008, subject to the following conditions namely :—

- (i) the Institution will apply its income, or accumulate for application, wholly and exclusively to the objects for which it is established and in a case where more than fifteen per cent of its income is accumulated on or after the 1st day of April, 2002, the period of the accumulation of the amount exceeding fifteen per cent of its income shall in no case exceed five years;
- (ii) the Institution will not invest or deposit its fund (other than voluntary contributions received and maintained in the form of jewellery, furniture etc.) for any period during the previous years relevant to the assessment years mentioned above otherwise than in any one or more of the forms or modes specified in sub-section (5) of Section 11;
- (iii) this notification will not apply in relation to any income being profits and gains of business, unless the business is incidental to the attainment of the objectives of the Institution and separate books of account are maintained in respect of such business;
- (iv) the Institution will regularly file its return of income before the Income-tax authority in accordance with the provisions of the Income-tax Act, 1961;
- (v) that in the event of dissolution of the Institution, its surplus and the assets will be given to an organization with similar objectives.

This notification is applicable only to the recipients of income on behalf of the Institution and not to any other receipt or income of such recipients. Taxability, or, otherwise, of the income of the Institution would be separately considered as per the provisions of the Income-tax Act, 1961.

[Notification No. 141/2006/F. No. 197/07/2006-ITA-I]

DEEPAK GARG, Under Secy.

**का.आ. 2552.**—आयकर अधिनियम, 1961 (1961 का 43) की धारा 10 के खंड (23ग) के उपखंड (iv) द्वारा प्रदत्त शक्तियों का प्रयोग करते हुए केन्द्र सरकार एतद्वारा यह अधिसूचित करती है कि “इंडिया इंटरनेशनल रुरल कल्चरल सेंटर, 7, नेल्सन मंडेला रोड, इंस्टीट्यूशनल एरिया, सेक्टर सी-1, वसंत कुंज, नई दिल्ली-110070” (इसके बाद “संस्था” कहा गया है) की ओर से किसी व्यक्ति द्वारा प्राप्त की गई कोई आय निम्नलिखित शर्तों के अधीन कर निर्धारण वर्ष 2005-06 से 2007-2008 तक के लिए ऐसे व्यक्ति की सकल आय में कराधेय आय के रूप में शामिल नहीं की जाएगी :

- (i) संस्था अपनी आय का इस्तेमाल अथवा अपनी आय का इस्तेमाल करने के लिए उसका संचयन पूर्णतया तथा अनन्यतया उन उद्देश्यों के लिए करेगी जिनके लिए इसकी स्थापना की गई है तथा उस मामले में जहां इसकी पंद्रह प्रतिशत से अधिक आय 1 अप्रैल, 2002 के पहले दिन को या उसके पश्चात् आय एकत्र की गई है, इसकी आय के संचयन की राशि के पंद्रह प्रतिशत से अधिक होने की अवधि किसी भी स्थिति में पाँच वर्ष से अधिक नहीं होनी चाहिए ;
- (ii) संस्था उपर्युक्त कर निर्धारण वर्षों से संगत पूर्ववर्ती वर्षों की किसी भी अवधि के दौरान धारा 11 की उपधारा (5) में विनिर्दिष्ट किसी एक अथवा एक से अधिक ढंग अथवा तरीकों से भिन्न तरीकों से अपनी निधि (जेवर-जवाहिरात, फर्नीचर आदि के रूप में प्राप्त तथा अनुरक्षित स्वैच्छिक अंशदान से भिन्न) का निवेश नहीं करेगी अथवा उसे जमा नहीं करेगी ;
- (iii) यह अधिसूचना किसी ऐसी आय के संबंध में लागू नहीं होगी, जो कि कारोबार से प्राप्त लाभ तथा अभिलाभ हो जब तक कि ऐसा कारोबार संस्था के उद्देश्यों की प्राप्ति के लिए प्रासंगिक नहीं हो तथा ऐसे कारोबार के संबंध में अलग से लेखा पुस्तिकाएँ नहीं रखी जाती हों;
- (iv) संस्था आयकर अधिनियम, 1961 के प्रावधानों के अनुसार अपनी आय विवरणी नियमित रूप से आयकर प्राधिकारी के समक्ष दाखिल करेगी;
- (v) विघटन की स्थिति में संस्था की अतिरिक्त राशियाँ और परिसम्पत्तियाँ समान उद्देश्यों वाले किसी संगठन को दे दी जाएगी।

यह अधिसूचना केवल संस्था की ओर से आय के प्राप्तकर्ता पर ही लागू होगी न कि इस तरह के प्राप्तकर्ता द्वारा किसी अन्य प्राप्ति अथवा आय पर। संस्था के आय की कराधेयता अथवा अन्यथा पर, आयकर अधिनियम, 1961 के उपबंधों के अनुसार पृथक रूप से विचार किया जाएगा।

[अधिसूचना सं. 145/2006/फा. सं. 197/32/2006-आयकर नि.-1]

दीपक गर्ग, अवर सचिव

New Delhi, the 29th June, 2006

## (INCOME-TAX)

**S.O. 2552.**—In exercise of powers conferred by sub-clause (iv) of the Clause (23C) of Section 10 of the Income-tax Act, 1961 (43 of 1961), the Central Government hereby notifies that any income received by any person on behalf of “India International Rural Cultural Centre, 7, Nelson Mandela Road, Institutional Area, Sector C-1, Vasant Kunj, New Delhi-110070” (hereinafter the “Institution”) shall not be included in the total income of such person as assessable for the Assessment years 2005-2006 to 2007-2008 subject to the following conditions:—

- (i) the Institution will apply its income, or accumulate for application, wholly and exclusively to the objects for which it is established and in a case where more than fifteen per cent of its income is accumulated on or after the 1st day of April, 2002, the period of the accumulation of the amount exceeding fifteen per cent of its income shall in no case exceed five years;
- (ii) the Institution will not invest or deposit its fund (other than voluntary contributions received and maintained in the form of jewellery, furniture etc.) for any period during the previous years relevant to the assessment years mentioned above otherwise than in any one or more of the forms or modes specified in sub-section (5) of the Section 11;
- (iii) this notification will not apply in relation to any income being profits and gains of business, unless the business is incidental to the attainment of the objectives of the Institution and separate books of account are maintained in respect of such business;
- (iv) the Institution will regularly file its return of income before the Income-tax authority in accordance with the provisions of the Income-tax Act, 1961;
- (v) that in the event of dissolution of the Institution, its surplus and the assets will be given to an organization with similar objectives.

This notification is applicable only to the recipients of income on behalf of the Institution and not to any other receipt or income of such recipients. Taxability or, otherwise of the income of the Institution would be separately considered as per the provisions of the Income-tax Act, 1961.

[Notificaiton No. 145/2006/F. No. 197/32/2006-ITA-I]

DEEPAK GARG, Under Secy.

नई दिल्ली, 29 जून, 2006

## ( आयकर )

**का.आ. 2553.**—आयकर अधिनियम, 1961 (1961 का 43) की धारा 10 के खंड (23ग) के उप-खंड (iv) द्वारा प्रदत्त शक्तियों का प्रयोग करते हुए केन्द्र सरकार एतद्वारा यह अधिसूचित करती है कि “नेशनल काउंसिल ऑफ एप्लाइड इकोनॉमिक रिसर्च, पेरिसिला भवन, 11 इन्द्रप्रस्थ एस्टेट, नई दिल्ली-110002” (इसके बाद “संस्था” कहा गया है) की ओर से किसी व्यक्ति द्वारा प्राप्त की गई कोई आय निम्नलिखित शर्तों के अधीन कर निर्धारण वर्ष 2005-2006 से 2007-2008 तक के लिए ऐसे व्यक्ति की सकल आय में कराधेय आय के रूप में शामिल नहीं की जाएगी :—

- (i) संस्था अपनी आय का इस्तेमाल अथवा अपनी आय का इस्तेमाल करने के लिए उसका संचयन पूर्णतया तथा अनन्यतया उन उद्देश्यों के लिए करेगी जिनके लिए इसकी स्थापना की गई है तथा उस मामले में जहां इसकी पंद्रह प्रतिशत से अधिक आय 1 अप्रैल, 2002 के पहले दिन को या उसके पश्चात् एकत्र की गई है, इसकी आय के संचयन की राशि के पंद्रह प्रतिशत से अधिक होने की अवधि किसी भी स्थिति में पाँच वर्ष से अधिक नहीं होनी चाहिए।
- (ii) संस्था उपर्युक्त कर निर्धारण वर्षों से संगत पूर्ववर्ती वर्षों की किसी भी अवधि के दौरान धारा 11 की उप-धारा (5) में विनिर्दिष्ट किसी एक अथवा एक से अधिक ढंग अथवा तरीकों से भिन्न तरीकों से अपनी निधि (जेवर-जवाहिरात, फर्नीचर आदि के रूप में प्राप्त तथा अनुरक्षित स्वैच्छिक अंशदान से भिन्न) का निवेश नहीं करेगी अथवा उसे जमा नहीं करेगी;
- (iii) यह अधिसूचना किसी ऐसी आय के संबंध में लागू नहीं होगी, जो कि कारोबार से प्राप्त लाभ तथा अभिलाभ हो जब तक कि ऐसा कारोबार संस्था के उद्देश्यों की प्राप्ति के लिए प्रासंगिक नहीं हो तथा ऐसे कारोबार के संबंध में अलग से लेखा-पुस्तिकाएँ नहीं रखी जाती हों;
- (iv) संस्था आयकर अधिनियम, 1961 के प्रावधानों के अनुसार अपनी आय विवरणी नियमित रूप से आय कर प्राधिकारी के समक्ष दाखिल करेगी;
- (v) विघटन की स्थिति में संस्था की अतिरिक्त राशियाँ और परिसम्पत्तियाँ समान उद्देश्यों वाले किसी संगठन को दे दी जाएंगी।

यह अधिसूचना केवल संस्था की ओर से आय के प्राप्तकर्ता पर ही लागू होगी न कि इस तरह के प्राप्तकर्ता द्वारा किसी अन्य प्राप्ति अथवा आय पर। संस्था के आय की कराधेयता अथवा अन्यथा पर, आयकर अधिनियम, 1961 के उपबंधों के अनुसार पृथक रूप से विचार किया जाएगा।

[अधिसूचना सं. 146/2006/फा. सं. 197/06/2006-आयकर नि.-1]

दीपक गर्ग, अवर सचिव

New Delhi, the 29th June, 2006

**(INCOME-TAX)**

**S.O. 2553.**—In exercise of powers conferred by the sub-clause (iv) of Clause (23C) of Section 10 of the Income-tax Act, 1961 (43 of 1961), the Central Government hereby notifies that any income received by any person on behalf “**National Council of Applied Economic Research, Parisila Bhawan, 11, Indraprastha Estate, New Delhi-110002**” (hereinafter the “**Institution**”) shall not be included in the total income of such person as assessable for the **Assessment years 2005-2006 to 2007-2008** subject to the following conditions :—

- (i) the Institution will apply its income, or accumulate for application, wholly and exclusively to the objects for which it is established and in a case where more than fifteen per cent of its income is accumulated on or after the 1st day of April, 2002, the period of the accumulation of the amount exceeding fifteen per cent of its income shall in no case exceed five years;
- (ii) the Institution will not invest or deposit its fund (other than voluntary contributions received and maintained in the form of jewellery, furniture etc.) for any period during the previous years relevant to the assessment years mentioned above otherwise than in any one or more of the forms or modes specified in sub-section (5) of the Section 11;
- (iii) this notification will not apply in relation to any income being profits and gains of business, unless the business is incidental to the attainment of the objectives of the Institution and separate books of account are maintained in respect of such business;
- (iv) the Institution will regularly file its return of income before the Income-tax authority in accordance with the provisions of the Income-tax Act, 1961;
- (v) that in the event of dissolution of the Institution, its surplus and the assets will be given to an organization with similar objectives.

This notification is applicable only to the recipients of income on behalf of the Institution and not to any other receipt or income of such recipients. Taxability, or, otherwise, of the income of the Institution would be separately considered as per the provisions of the Income-tax Act, 1961.

[Notification No. 146/2006/F. No. 197/06/2006-ITA.I]

DEEPAK GARG, Under Secy.

**सीमा शुल्क एवं केन्द्रीय उत्पाद शुल्क आयुक्त का कार्यालय**

सेलम, 14 जून, 2006

**सं. 02/2006-सीमा शुल्क ( एन.टी. )**

**का.आ. 2554.**—सीमा शुल्क अधिनियम, 1962 की धारा 152 खण्ड (ए) के अंतर्गत भारत सरकार, वित्त मंत्रालय, राजस्व विभाग, नई दिल्ली के दिनांक 1 जुलाई, 1994 के अधिसूचना सं 33/94-सीमा शुल्क (एन.टी) के अधीन अधोहस्ताक्षरी को प्रत्यायोजित शक्तियों का प्रयोग करते हुए मैं, एस. रमेश, आयुक्त, सीमा शुल्क एवं केन्द्रीय उत्पाद शुल्क, सेलम एतद्वारा तमिलनाडु राज्य, धर्मपुरी जिला, पालकोडू तालुक के एलूमिचनहल्ली ग्राम को सीमा शुल्क अधिनियम, 1962 की धारा 9 के अंतर्गत 100% निर्यातमुन्मुख एकक (ई. ओ. यू) के गठन के उद्देश्य से भाण्डारण स्टेशन के रूप में घोषित करता हूँ, जैसा कि वाणिज्य एवं उद्योग मंत्रालय, वाणिज्य विभाग, मद्रास निर्यात प्रक्रिया क्षेत्र, चेन्नई द्वारा अनुमोदित है।

[फा. सी. सं.-VIII/48/15/2006-सीमा शुल्क नीति]

एस. रमेश, आयुक्त

**OFFICE OF THE COMMISSIONER OF CENTRAL  
EXCISE AND CUSTOMS**

Salem, the 14th June, 2006

**No. 02/2006-Customs (NT)**

**S.O. 2554.**—In exercise of the powers delegated to the undersigned vide Notification No. 33/94—Cus. (NT) dated 1st July, 1994 by the Government of India, Ministry of Finance, Department of Revenue, New Delhi under Clause (a) of Section 152 of the Customs, Act, 1962, I, S. Ramesh, Commissioner of Customs and Central Excise, Salem hereby declare Elumichanahalli Village of Palacode Taluk, in the District of Dharmapuri, State of Tamilnadu, to be warehousing station under Section 9 of the Customs Act, 1962 for the limited purpose of setting up of 100% Export Oriented Unit, as approved by the Ministry of Commerce and Industry, Department of Commerce, Madras Export Processing Zone, Chennai.

[File C. No. VIII/48/15/2006-Cus. (NT)]

S. RAMESH, Commissioner

**केन्द्रीय उत्पाद एवं सीमा शुल्क आयुक्तालय**

पंचकुला, 27 जून, 2006

**सं. 1/2006-सीमा शुल्क ( अधि. )**

**का.आ. 2555.**—सीमा शुल्क अधिनियम, 1962 (1962 का 52) की धारा 9 के अधीन प्रदत्त अधिकार के तहत अधिसूचना सं. 33/94 सीमा शुल्क (अधि.) दिनांक 1 जुलाई, 1994 के साथ पठित वि.म. (रा.वि) परिपत्र सं. 31/2003 सीमा शुल्क दिनांक 07-04-2003 द्वारा प्रत्यायोजित अधिकार के अनुसार, मैं, हरियाणा राज्य के जिला

अंबाला में स्थित गांव मंगलाई, पी.ओ. खुदा कलान को इसके साथ माल गोदाम स्टेशन के रूप में घोषित करती हूँ ताकि वहां सहायक विकास आयुक्त, वाणिज्य एवं उद्योग मंत्रालय, वाणिज्य विभाग, का वाणिज्य आयुक्त, नौएडा विशेष आर्थिक जोन, नौएडा दादरी मार्ग, फेस-II, नौएडा-201305 जिला गौतमबुध नगर, (उत्तर प्रदेश) भारत सरकार के पत्र एफ. सं. 3-60/2003-100 प्रतिशत इओयू/7156, दिनांक 12-4-2006, द्वारा अनुमोदित केवल शत प्रतिशत निर्यातानुसूची स्थापित की जा सके।

[फा सं-IV/(16)12/सी. शुल्क/ग्लास्को/100%ईओयूएनटीएफ/मुं/पंचकुल/06]

शोभा एल. चारी, आयुक्त

**OFFICE OF THE COMMISSIONER OF CENTRAL  
EXCISE & CUSTOMS**

Panchkula, the 27th June, 2006

**No. 1/2006 CUSTOMS (NT)**

**S.O. 2555.**—In exercise of the powers conferred by Notification No. 33/94 Cus (NT) dated 1-7-94 of the Government of India, Ministry of Finance, Department of Revenue, New Delhi, I, hereby declare Village Manglai, P.O. Khudda Kalan, Ambala in the state of Haryana to be a Warehousing Station under Section 9 of Customs Act, 1962 (52 of 1962) for the limited purpose of setting up 100% Export Oriented Unit as approved by the Assistant Development Commissioner, Ministry of Commerce & Industry, Deptt. of Commerce, O/o The Development Commissioner, Noida Special Economic Zone, Noida Dadri Road, Phase-II, NOIDA-201305 vide letter F. No. 3-60/2003-100% EOU/7156 dt. 12-4-06.

[F.No. IV (16)12/Cus Pol/Glassco/100%EOUNTF/HQ/PKL/06]

SHOBHA L. CHARY, Commissioner

(आर्थिक कार्य विभाग)

(बैंकिंग प्रभाग)

नई दिल्ली, 27 जून, 2006

**का.आ. 2556.**—भारतीय रिजर्व बैंक अधिनियम, 1934 (1934 का 2) की धारा 9 की उप-धारा (1) द्वारा प्रदत्त शक्तियों का प्रयोग करते हुए, केन्द्रीय सरकार, एतद्वारा, श्री लक्ष्मी चन्द, सेवानिवृत्त आईएएस, सी-12, सैक्टर-14, नौएडा, उत्तर प्रदेश-201301, को 27 जून, 2006 से चार वर्ष की अवधि के लिए भारतीय रिजर्व बैंक के दक्षिणी क्षेत्र स्थानीय बोर्ड के सदस्य के रूप में नियुक्त करती है।

[सं. 7/2/2004-बीओ-1]

अमिताभ वर्मा, संयुक्त सचिव

(Department of Economic Affairs)

(Banking Division)

New Delhi, the 27th June, 2006

**S.O. 2556.**—In exercise of the powers conferred by sub-section (1) of Section 9 of the Reserve Bank of India Act, 1934 (2 of 1934), the Central Government hereby appoints Shri Lakshmi Chand, Retd. IAS, C-12, Sector-14,

Noida, U.P.-201301 to be the Member of the Southern Area Local Board of the Reserve Bank of India for a period of four years with effect from 27th June, 2006.

[F.No. 7/2/2004-BO-I]

AMITABH VERMA, Jt. Secy.

नई दिल्ली, 27 जून, 2006

**का.आ. 2557.**—भारतीय रिजर्व बैंक अधिनियम, 1934 (1934 का 2) की धारा 9 की उप-धारा (1) द्वारा प्रदत्त शक्तियों का प्रयोग करते हुए, केन्द्रीय सरकार, एतद्वारा, श्री सुरेश डी. तेंदुलकर, अर्थशास्त्री, एडी-86-सी, शालीमार बाग, नई दिल्ली-110088, को 27 जून, 2006 से चार वर्ष की अवधि के लिए भारतीय रिजर्व बैंक के पूर्वी क्षेत्र स्थानीय बोर्ड के सदस्य के रूप में नियुक्त करती है।

[सं. 7/2/2004-बीओ-1]

अमिताभ वर्मा, संयुक्त सचिव

New Delhi, the 27th June, 2006

**S.O. 2557.**—In exercise of the powers conferred by sub-section (1) of Section 9 of the Reserve Bank of India Act, 1934 (2 of 1934), the Central Government hereby appoints Shri Suresh D. Tendulkar, Economist, AD-86-C, Shalimar Bagh, New Delhi-110088, to be the Member of the Eastern Area Local Board of the Reserve Bank of India for a period of four years with effect from 27th June, 2006.

[F.No. 7/2/2004-BO-I]

AMITABH VERMA, Jt. Secy.

नई दिल्ली, 27 जून, 2006

**का.आ. 2558.**—भारतीय रिजर्व बैंक अधिनियम, 1934 (1934 का 2) की धारा 9 की उप-धारा (1) द्वारा प्रदत्त शक्तियों का प्रयोग करते हुए, केन्द्रीय सरकार, एतद्वारा, श्री वाई. एच. मालेगम, सनदी लेखाकार, मैसर्स एस. बी. बिल्लीमोरिया एंड कंपनी, मेहर चैम्बर्स (द्वितीय तल), आर. कमानी रोड, बेलाई एस्टेट, मुम्बई-400001, को 27 जून, 2006 से चार वर्ष की अवधि के लिए भारतीय रिजर्व बैंक के पश्चिमी क्षेत्र स्थानीय बोर्ड के सदस्य के रूप में नियुक्त करती है।

[सं. 7/2/2004-बीओ-1]

अमिताभ वर्मा, संयुक्त सचिव

New Delhi, the 27th June, 2006

**S.O. 2558.**—In exercise of the powers conferred by sub-section (1) of Section 9 of the Reserve Bank of India Act, 1934 (2 of 1934), the Central Government hereby appoints Shri Y.H. Malegam, Chartered Accountant, M/s. S. B. Billimoria and Co., Mehar Chambers (2nd Floor) R. Kamani Road, Ballard Estate, Mumbai-400001 to be the Member of the Western Area Local Board of the Reserve Bank of India for a period of four years with effect from 27th June, 2006.

[F.No. 7/2/2004-BO-I]

AMITABH VERMA, Jt. Secy.

नई दिल्ली, 27 जून, 2006

**का.आ. 2559.**—भारतीय रिजर्व बैंक अधिनियम, 1934 (1934 का 2) की धारा 9 की उप-धारा (1) द्वारा प्रदत्त शक्तियों का प्रयोग करते हुए, केन्द्रीय सरकार, एतद्वारा, प्रो. यू. आर. राव., अध्यक्ष, भौतिक अनुसंधान प्रयोगशाला, अंतरिक्ष विभाग, अंतरिक्ष भवन, न्यू बीईएल रोड, बंगलौर-560094, को 27 जून, 2006 से चार वर्ष की अवधि के लिए भारतीय रिजर्व बैंक के उत्तरी क्षेत्र स्थानीय बोर्ड के सदस्य के रूप में नियुक्त करती है।

[सं. 7/2/2004-बीओ-1]

अमिताभ वर्मा, संयुक्त सचिव

New Delhi, the 27th June, 2006

**S.O. 2559.**—In exercise of the powers conferred by sub-section (1) of Section 9 of the Reserve Bank of India Act, 1934 (2 of 1934), the Central Government hereby appoints Professor U.R., Rao, Chairman, Physical Research Laboratory, Department of Space, Antariksh Bhawan, New BEL Road, Bangalore-560094 to be the Member of the Northern Area Local Board of the Reserve Bank of India for a period of four years with effect from 27th June, 2006

[F.No. 7/2/2004-BO-1]

AMITABH VERMA, Jt. Secy.

नई दिल्ली, 27 जून, 2006

**का.आ. 2560.**—भारतीय रिजर्व बैंक अधिनियम, 1934 (1934 का 2) की धारा 8 की उप-धारा (1) के खंड (ग) द्वारा प्रदत्त शक्तियों का प्रयोग करते हुए, केन्द्रीय सरकार, एतद्वारा, निम्नलिखित व्यक्तियों को 27 जून, 2006 से चार वर्ष की अवधि के लिए भारतीय रिजर्व बैंक के केन्द्रीय निदेशक मंडल में नामित करती है:

- (i) श्री अजीम प्रेमजी,  
अध्यक्ष विप्रो लिमिटेड,  
डोडाकन्नेल्ली, सर्जापुर रोड,  
बैंगलूर-560003
- (ii) श्री कुमार मंगलम बिड़ला,  
अध्यक्ष, आदित्य बिड़ला ग्रुप कम्पनीज़,  
आदित्य बिड़ला सेन्टर,  
एस. के. अहिरे मार्ग, वर्ली,  
मुम्बई-400030
- (iii) श्रीमती शशी रेखा राजगोपालन,  
17-1-383/आईपी 25, इन्द्रप्रस्थ टाउनशिप,  
फेज-1, विनय नगर, शिवाबाद  
हैदराबाद-500059
- (iv) श्री सुरेश कुमार नियोतिा,  
बी-32, ग्रेटर कैलाश-1,  
नई दिल्ली-110048

(v) डॉ. ए. वैद्यनाथन,  
बी-1, सोनाली अपार्टमेंट, ओल्ड नं. 15,  
बीच रोड, कला क्षेत्र कॉलोनी,  
चेन्नई-600090

(vi) डॉ. मनमोहन शर्मा,  
2/3, जसवन्त बाग (रनवाल पार्क),  
अकबर अली, चेम्बूर नाका के पीछे,  
मुम्बई-400071

(vii) श्री होमी फिरोज़ रेनिना,  
506, रहेजा सेन्टर,  
214, बेकवे रिकलेमेशन,  
मुम्बई-400021

(viii) श्री डी. जयवर्धनवेलु,  
अध्यक्ष एवं प्रबंध निदेशक,  
लक्ष्मी मशीन वर्क्स लिमिटेड,  
कोयम्बटूर

(ix) डॉ. ए. एस. गांगुली,  
एन-6, पेमिनो अल्टमूनी रोड,  
मुम्बई-400006

2. भारतीय रिजर्व बैंक अधिनियम, 1934 की धारा 8 की उप-धारा 4 के उपबंधों के अनुसार, उपर्युक्त पैरा 1 में यथा उल्लिखित निदेशकों की नियुक्ति होने के परिणामस्वरूप, भारतीय रिजर्व बैंक के केन्द्रीय निदेशक मंडल में नामित विद्यमान निम्नलिखित निदेशक 27 जून, 2006 से निदेशक नहीं रहेंगे:

- (i) श्री एन. आर. नारायणमूर्ति
- (ii) श्री रतन एन. टाटा
- (iii) डॉ. अमृता पटेल
- (iv) श्री कौशल पाल सिंह
- (v) प्रो. विजय शंकर व्यास
- (vi) श्री सुरेश कृष्णा

[सं. 7/2/2004-बीओ-1]

अमिताभ वर्मा, संयुक्त सचिव

New Delhi, the 27th June, 2006

**S.O. 2560.**—In exercise of the powers conferred by clause (c) of sub-section (1) of Section 8 of the Reserve Bank of India Act, 1934 (2 of 1934), the Central Government hereby nominates the following persons to be the Directors of the Central Board of Directors of Reserve Bank of India for a period of four years with effect from 27th June, 2006:

- (i) Shri Azim Premji,  
Chairman, WIPRO Limited,  
Doddakannelli,  
Sarjapur Road, Bangalore-560003

- (ii) Shri Kumar Mangalam Birla  
Chairman, Aditya Birla Group Companies  
Aditya Birla Centre,  
S.K. Ahire Marg, Worli  
Mumbai-400030
- (iii) Mrs. Shashi Rekha Rejagopalan  
17-1-383/IP 25, Indraprastha Township  
Phase-I, Vinay Nagar, Shidabad  
Hyderabad-500059
- (iv) Shri Suresh Kumar Neotia  
B-32, Greater Kailash-I  
New Delhi-110048
- (v) Dr. A. Vaidyanathan  
B-1, Sonali Apartment, Old No. 11  
Beach Road, Kalakshetra Colony  
Chennai-600090
- (vi) Dr. Man Mohan Sharma  
2/3 Jaswant Baug, (Runwal Park)  
Behind Akbarallys, Chembur Naka  
Mumbai-400071
- (vii) Shri Homi Phiroze Ranina  
506, Raheja Centre  
214, Backbay Reclamation  
Mumbai-400021
- (viii) Shri D. Jayawardhanavelu  
Chairman and Managing Director  
Lakshmi Machine Works Limited  
Coimbatore
- (ix) Dr. A. S. Ganguly  
N-6 Pemino Altamooni Road  
Mumbai-400006

2. In accordance with the provisions of sub-section (4) of section 8 of the Reserve Bank of India Act, 1934, consequent to appointment of the directors as mentioned in para I above, the following existing directors nominated on the Central Board of Directors of the Reserve Bank of India shall cease to be directors with effect from 27th June, 2006:

- (i) Shri N.R. Narayana Murthy
- (ii) Shri Ratan N. Tata
- (iii) Dr. Amrita Patel
- (iv) Shri Kaushal Pal Singh
- (v) Prof. Vijay Shankar Vyas
- (vi) Shri Suresh Krishna

[F.No. 7/2/2004-BO. I]

AMITABH VERMA, Jt. Secy.

नई दिल्ली, 27 जून, 2006

का.आ. 2561.—भारतीय रिजर्व बैंक अधिनियम, 1934 (1934 का 2) की धारा 8 की उप-धारा (1) के खंड (ख) द्वारा प्रदत्त शक्तियों का प्रयोग करते हुए, केन्द्रीय सरकार, एतद्वारा, चार स्थानीय बोर्डों के सदस्यों में से निम्नलिखित व्यक्तियों को 27 जून, 2006 से भारतीय रिजर्व बैंक के केन्द्रीय निदेशक मंडल में नामित करती है:

- (i) श्री सुरेश डी. तेंदुलकर, पूर्वी क्षेत्र स्थानीय बोर्ड से  
अर्थशास्त्री,  
एडी-86-सी, शालीमार बाग,  
नई दिल्ली-110088
- (ii) श्री वाई. एस. मालेगाम, पश्चिमी क्षेत्र स्थानीय बोर्ड से  
सनदी लेखाकार,  
मैसर्स एस. बी. बिलिमोरिया एंड कंपनी,  
मेहर चेम्बर्स (द्वितीय तल),  
आर. कमानी रोड, बलार्ड एस्टेट,  
मुम्बई-400001
- (iii) प्रो. यू. आर. राव, उत्तरी क्षेत्र स्थानीय बोर्ड से  
अध्यक्ष,  
फिजिकल रिसर्च लेबोरेट्री,  
अंतरिक्ष विभाग, अंतरिक्ष भवन,  
न्यू बेल रोड,  
बैंगलूर-560094
- (iv) श्री लक्ष्मी चन्द, दक्षिणी क्षेत्र स्थानीय बोर्ड से  
सेवानिवृत्त आईएएस,  
सी-12, सेक्टर 14, नोएडा,  
उत्तर प्रदेश-201301

2. भारतीय रिजर्व बैंक अधिनियम, 1934 की धारा 8 की उप-धारा 4 के उपबंधों के अनुसार, उपर्युक्त पैरा 1 में यथा उल्लिखित निदेशकों की नियुक्ति होने के परिणामस्वरूप, भारतीय रिजर्व बैंक के केन्द्रीय निदेशक मंडल में नामित विद्यमान निम्नलिखित निदेशक 27 जून, 2006 से निदेशक नहीं रहेंगे :

- (1) प्रो. मिहिर रक्षित
- (2) श्री के. माधव राव

[फा. सं. 7/2/2004-बीओ- I]

अमिताभ वर्मा, संयुक्त सचिव

New Delhi, the 27th June, 2006

S.O. 2561.—In exercise of the powers conferred by clause (b) of sub-section (1) of section 8 of the Reserve Bank of India Act, 1934 (2 of 1934), the Central Government hereby nominates the following persons from among the members of the four Local Boards to be directors of the

Central Board of Directors of Reserve Bank of India with effect from 27th June, 2006:

- |  |                                   |
|--|-----------------------------------|
| (i) Shri Suresh D. Tendulkar<br>Economist, AD-86-C,<br>Shalimar Bagh,<br>New Delhi-110088  | From Eastern Area<br>Local Board  |
| (ii) Shri Y.H. Malegam,<br>Chartered Accountant,<br>M/s. S. B. Billimoria & Co.<br>Mehar Chambers (2nd Floor)<br>R. Kamani Road,<br>Ballard Estate,<br>Mumbai-400001 | From Western Area<br>Local Board  |
| (iii) Prof. U.R. Rao<br>Chairman,<br>Physical Research Laboratory,<br>Department of Space,<br>Antariksh Bhawan,<br>New BEL Road<br>Bangalore-560094                  | From Northern Area<br>Local Board |
| (iv) Shri Lakshmi Chand,<br>Retd. IAS, C-12,<br>Sector-14, NOIDA,<br>U.P.-201301   | From Southern Area<br>Local Board |

2. In accordance with the provisions of sub-section (4) of section 8 of the Reserve Bank of India Act, 1934, consequent to appointment of the directors as mentioned in para 1 above, the following existing directors nominated on the Central Board of Directors of the Reserve Bank of India shall cease to be directors with effect from 27th June, 2006.

- (i) Prof. Mihir Rakshit  
(ii) Shri K. Madhava Rao

[F. No. 7/2/2004-BO-I]

AMITABH VERMA, Jt. Secy.

### सूचना एवं प्रसारण मंत्रालय

नई दिल्ली, 13 जून, 2006

का.आ. 2562.--चलचित्र (प्रमाणन) नियमावली, 1983 के नियम 43 के साथ पठित चलचित्र अधिनियम, 1952 (1952 का 37) की धारा 5 (घ) की उप-धारा (7) द्वारा प्रदत्त शक्तियों का प्रयोग करते हुए, केंद्र सरकार, श्री आर. एन. मल्होत्रा, अवर सचिव, सूचना एवं प्रसारण मंत्रालय को दिनांक 08-06-2006 (पूर्वाह्न) से तीन वर्ष की अवधि अथवा अगले आदेशों तक, जो भी पहले हो, प्रतिनियुक्ति आधार पर 10,000-15,200 रु. के वेतनमान में फिल्म प्रमाणन अपीलीय न्यायाधिकरण के सचिव के रूप में नियुक्त करता है।

[फा. सं. 801/8/2005-एफ (सी)]

विश्वजीत सहाय, निदेशक (फिल्म)

### MINISTRY OF INFORMATION AND BROADCASTING

New Delhi, the 13th June, 2006

S.O. 2562.—In exercise of the powers conferred by sub-section (7) of section 5D of the Cinematograph Act, 1952 (37 of 1952) read with rule 43 of the Cinematograph (Certification) Rules, 1983, the Central Government is pleased to appoint Shri R.N. Malhotra, Under Secretary, Ministry of Information and Broadcasting, as Secretary to the Film Certification Appellate Tribunal, in the pay scale of Rs. 10,000—15,200 on deputation basis, for a period of three years from 08-06-2006 (FN) or until further orders, whichever is earlier.

[F. No. 801/8/2005-F(C)]

VISHVAJIT SAHAY, Director (Films)

### कृषि मंत्रालय

(कृषि अनुसंधान तथा शिक्षा विभाग)

नई दिल्ली, 19 जून, 2006

का.आ. 2563.--केंद्रीय सरकार, कृषि मंत्रालय, कृषि अनुसंधान एवं शिक्षा विभाग, राजभाषा (संघ के शासकीय प्रयोजनों के लिए प्रयोग) नियमावली, 1976 के नियम 10 के उप-नियम (4) के अनुसरण में एतद्वारा भारतीय कृषि अनुसंधान परिषद् के केंद्रीय आलू अनुसंधान केन्द्र, पटना (बिहार) जिसके 80 प्रतिशत से अधिक अधिकारियों/कर्मचारियों ने हिंदी का कार्यसाधक ज्ञान प्राप्त कर लिया है, को अधिसूचित करती है।

[फा. सं. 13-2/2002-हिंदी]

आर. चौधरी, अवर सचिव

### MINISTRY OF AGRICULTURE

(Department of Agricultural Research and Education)

New Delhi the 19th June, 2006

S.O. 2563.—In pursuance of sub-rule (4) of Rule 10 of the Official Language (use for official purpose of the union) Rules, 1976, the Central Government, Ministry of Agriculture, Department of Agricultural Research and Education hereby notifies the Central Potato Research Station, Patna (Bihar) of ICAR where more than 80% of staff have acquired the working knowledge of Hindi.

[F. No. 13-2/2002-Hindi]

R. CHAUDHURI, Under Secy.

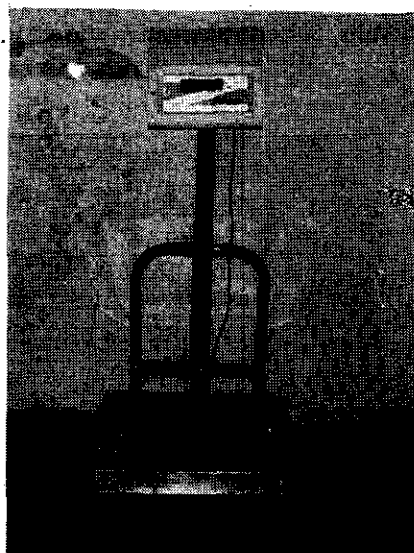
## उपभोक्ता मामले, खाद्य और सार्वजनिक वितरण मंत्रालय

( उपभोक्ता मामले विभाग )

नई दिल्ली, 13 जून, 2006

का. आ. 2564.—केन्द्रीय सरकार का, विहित प्राधिकारी द्वारा उसे प्रस्तुत रिपोर्ट पर विचार करने के पश्चात् यह समाधान हो गया है कि उक्त रिपोर्ट में वर्णित मॉडल (नीचे दी गई आकृति देखें) बाट और माप मानक अधिनियम, 1976 (1976 का 60) तथा बाट और माप मानक (मॉडलों का अनुमोदन) नियम, 1987 के उपबंधों के अनुरूप है और इस बात की संभावना है कि लगातार प्रयोग की अवधि में भी उक्त मॉडल यथार्थता बनाए रखेगा और विभिन्न परिस्थितियों में उपयुक्त सेवा प्रदान करता रहेगा;

अतः, अब, केन्द्रीय सरकार, उक्त अधिनियम की धारा 36 की उप-धारा (7) और (8) द्वारा प्रदत्त शक्तियों का प्रयोग करते हुए मैसर्स जी बिजिनेस, पेन खोपोली रोड, नगर परिषद् कार्यालय, पेन के निकट, जिला रायगढ़, महाराष्ट्र द्वारा निर्मित मध्यम यथार्थता (यथार्थता वर्ग III) वाले “जेड पी एस-500” शृंखला के अंकक सूचन सहित अस्वचालित तोलन उपकरण (प्लेटफार्म प्रकार) के मॉडल का जिसके ब्रांड का नाम “जी बिजिनेस” है (जिसे इसमें इसके पश्चात् उक्त मॉडल कहा गया है) और जिसे अनुमोदन चिन्ह आई एन डी/09/2006/140 समनुदेशित किया गया है, अनुमोदन प्रमाण-पत्र जारी और प्रकाशित करती है।



उक्त मॉडल एक विकृत गेज प्रकार का भार सेल आधारित अस्वचालित (प्लेटफार्म प्रकार का) तोलन उपकरण है। इसकी अधिकतम क्षमता 500 कि.ग्रा. और न्यूनतम क्षमता 2 कि. ग्रा. है। सत्यापन मापमान अंतराल (ई) का मान 100 ग्रा. है। इसमें एक आधेयतुलन युक्त है जिसका शत प्रतिशत व्यवकलनात्मक धारित आधेयतुलन प्रभाव है। प्रकाश उत्सर्जक डायोड (एल ई डी) प्रदर्श तोलन परिणाम उपदर्शित करता है। उपकरण 230 वोल्ट, 50 हर्ट्ज प्रत्यावर्ती धारा विद्युत प्रदाय पर कार्य करता है।

स्टाम्पिंग प्लेट के मुद्रांकन के अतिरिक्त मशीन को कपटपूर्ण व्यवहारों के लिए खोलने से रोकने के लिए सीलबन्द भी किया जाएगा और मॉडल को उसकी सामग्री, यथार्थता, डिजाइन, सर्किट डायग्राम, निष्पादन सिद्धान्त आदि की शर्तों पर परिवर्तित/परिवर्धित नहीं किया जाएगा।

और केन्द्रीय सरकार उक्त अधिनियम की धारा 36 की उप-धारा (12) द्वारा प्रदत्त शक्तियों का प्रयोग करते हुए यह घोषणा करती है कि उक्त मॉडल के अनुमोदन के इस प्रमाण-पत्र के अंतर्गत उसी विनिर्माता द्वारा उसी सिद्धान्त, डिजाइन के अनुसार और उसी सामग्री से, जिससे अनुमोदित मॉडल का निर्माण किया गया है, विनिर्मित उसी शृंखला के वैसे ही मेक, यथार्थता और कार्यपालन के तोलन उपकरण भी होंगे जो 5 ग्राम या उससे अधिक के “ई” मान के लिए 500 से 10,000 तक की रेंज में सत्यापन मापमान अंतराल (एन) सहित 50 किलोग्राम से अधिक और 1000 कि. ग्रा. तक की अधिकतम क्षमता वाले हैं और “ई” मान  $1 \times 10^{-6}$ ,  $2 \times 10^{-6}$  या  $5 \times 10^{-6}$ , के हैं, जो धनात्मक या ऋणात्मक पूर्णांक या शून्य के समतुल्य हैं।

[फा. सं. डब्ल्यू एम-21(16)/2006]

पी. ए. कृष्णामूर्ति, निदेशक, विधिक माप विज्ञान

**MINISTRY OF CONSUMER AFFAIRS, FOOD AND PUBLIC DISTRIBUTION****(Department of Consumer Affairs)**

New Delhi, the 13th June, 2006

S.O. 2564.—Whereas the Central Government, after considering the report submitted to it by the prescribed authority, is satisfied that the model described in the said report (see the figure given below) is in conformity with the provisions of the Standards of Weights and Measures Act, 1976 (60 of 1976) and the Standards of Weights and Measures (Approval of Models) Rules, 1987 and the said model is likely to maintain its accuracy over periods of sustained use and to render accurate service under varied conditions;

Now, therefore, in exercise of the powers conferred by sub-sections (7) and (8) of Section 36 of the said Act, the Central Government hereby issues and publishes the certificate of approval of the model of non-automatic weighing instrument (Platform type) with digital indication of "ZPS-500" series of medium accuracy (Accuracy class-III), and with brand name "ZEE BUSINESS" (hereinafter referred to as the said model), manufactured by M/s. Zee Business, Pen Khopoli Road, Near Nagar Parisad Office, Pen, District-Raigad, Maharashtra and which is assigned the approval mark IND/09/2006/140;

The said model is a strain gauge type load cell based non-automatic weighing instrument (Platform type) with a maximum capacity of 500 kg. and minimum capacity of 2 kg. The verification scale interval (e) is 100g. It has a tare device with a 100 per cent subtractive retained tare effect. The Light Emitting Diode (LED) indicates the weighing result. The instrument operates on 230 Volts, 50Hertz alternative current power supply.



In addition to sealing the stamping plate, sealing shall also be done to prevent the opening of the machine for fraudulent practices and model shall not be changed in terms of its material, accuracy, design, circuit diagram, working principle etc.

Further, in exercise of the powers conferred by sub-section (12) of Section 36 of the said Act, the Central Government hereby declares that this certificate of approval of the said model shall also cover the weighing instruments of similar make, accuracy and performance of same series with maximum capacity above 50kg. and upto 1000 kg. with verification scale interval (n) in the range of 500 to 10,000 for 'e' value of 5g. or more and with 'e' value of  $1 \times 10^k$ ,  $2 \times 10^k$  or  $5 \times 10^k$ , where k is a positive or negative whole number or equal to zero manufactured by the same manufacturer in accordance with the same principle, design and with the same materials with which, the said approved model has been manufactured.

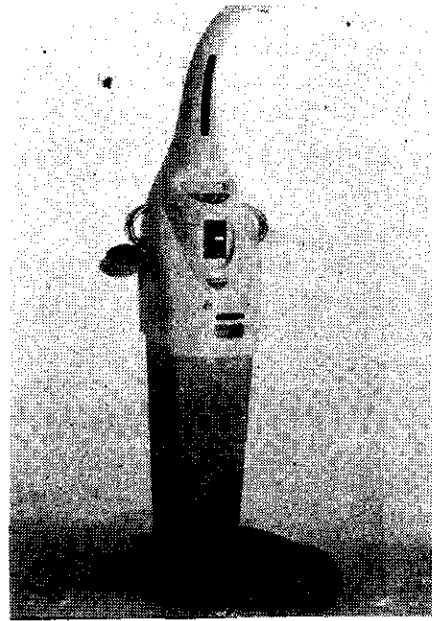
[F. No. WM-21(16)/2006]

P. A. KRISHNAMOORTHY, Director of Legal Metrology

नई दिल्ली, 13 जून, 2006

का. आ. 2565.—केन्द्रीय सरकार का, विहित प्राधिकारी द्वारा उसे प्रस्तुत रिपोर्ट पर विचार करने के पश्चात् यह समाधान हो गया है कि उक्त रिपोर्ट में वर्णित मॉडल (नीचे दी गई आकृति देखें) बाट और माप मानक अधिनियम, 1976 (1976 का 60) तथा बाट और माप मानक (मॉडलों का अनुमोदन) नियम, 1987 के उपबंधों के अनुरूप है और इस बात की संभावना है कि लगातार प्रयोग की अवधि में भी उक्त मॉडल यथार्थता बनाए रखेगा और विभिन्न परिस्थितियों में उपयुक्त सेवा प्रदान करता रहेगा;

अतः, अब, केन्द्रीय सरकार, उक्त अधिनियम की धारा 36 की उपधारा (7) और (8) द्वारा प्रदत्त शक्तियों का प्रयोग करते हुए मैसर्स एलेक्जेंडर स्केल प्रा. लि., प्रथम तल, मिस्त्री चैम्बर्स, केमा होटल के निकट, खानपुरख् अहमदाबाद-380001 द्वारा निर्मित मध्यम यथार्थता वर्ग (यथार्थता वर्ग III) वाले "मिलेनियम" शृंखला के अंकक सूचन सहित अस्वचालित तोलन उपकरण (व्यक्ति तोलन मशीन) के मॉडल का जिसके ब्रांड का नाम "एलेक्जेंडर" है (जिसे इसमें इसके पश्चात् उक्त मॉडल कहा गया है) और जिसे अनुमोदन चिन्ह आई एन डी/09/06/109 समनुदेशित किया गया है, अनुमोदन प्रमाण-पत्र जारी और प्रकाशित करती है।



उक्त मॉडल विकृति गेज भार सेल आधारित अस्वचालित तोलन उपकरण है। इसकी अधिकतम क्षमता 225 कि.ग्रा. और न्यूनतम क्षमता 2 कि. ग्राम है। सत्यापन मापमान अंतराल (ई) का मान 100 ग्रा. है। द्रव क्रिस्टल डायोड (एल सी डी) प्रदर्श तोलन परिणाम उपदर्शित करता है। उपकरण 230 वोल्ट, 50 हर्ट्ज प्रत्यावर्ती धारा विद्युत प्रदाय पर कार्य करता है।

स्टाम्पिंग प्लेट के मुद्रांकन के अतिरिक्त मशीन को कपटपूर्ण व्यवहारों के लिए खोलने से रोकने के लिए सीलबन्द भी किया जाएगा।

और केन्द्रीय सरकार उक्त अधिनियम की धारा 36 की उप-धारा (12) द्वारा प्रदत्त शक्तियों का प्रयोग करते हुए यह घोषणा करती है कि उक्त मॉडल के अनुमोदन के इस प्रमाणपत्र के अंतर्गत उसी विनिर्माता द्वारा उसी सिद्धांत, डिजाइन के अनुसार और उसी सामग्री से, जिससे अनुमोदित मॉडल का निर्माण किया गया है, विनिर्मित उसी शृंखला के वैसे ही मेक, यथार्थता और कार्यपालन के तोलन उपकरण भी होंगे जो 5 ग्राम या उससे अधिक के "ई" मान के लिए 500 से 10,000 तक के रेंज में सत्यापन मान (एन) सहित 100 किलोग्राम से अधिक और 225 कि.ग्रा. तक की अधिकतम क्षमता वाले हैं और "ई" मान  $1 \times 10^{-3}$ ,  $2 \times 10^{-3}$  या  $5 \times 10^{-3}$ , के हैं, जो धनात्मक या ऋणात्मक पूर्णांक या शून्य के समतुल्य हैं।

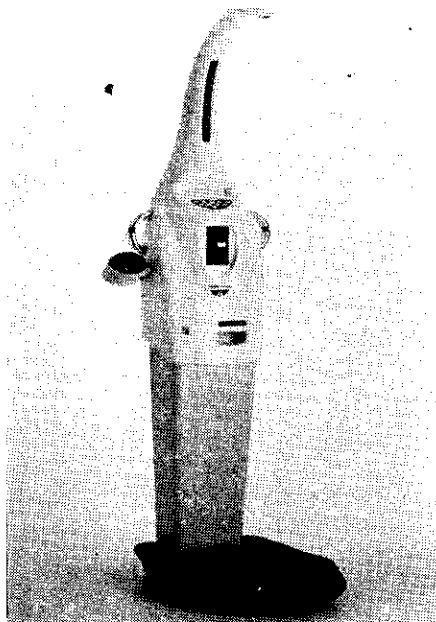
[फा. सं. डब्ल्यू एम-21(07)/2006]

पी. ए. कृष्णामूर्ति, निदेशक, विधिक माप विज्ञान

New Delhi, the 13th June, 2006

**S.O. 2565.**—Whereas the Central Government, after considering the report submitted to it by the prescribed authority, is satisfied that the models described in the said report (see the figure given below) is in conformity with the provisions of the Standards of Weights and Measures Act, 1976 (60 of 1976) (herein referred to as the said Act) and the Standards of Weights and Measures (Approval of Models) Rules, 1987 and the said model is likely to maintain its accuracy over periods of sustained use and to render accurate service under varied conditions;

Now, therefore, in exercise of the powers conferred by sub-sections (7) and (8) of Section 36 of the said Act, the Central Government hereby issues and publishes the certificate of approval of the model of non-automatic weighing instrument with digital indication (Person Weighing Machine) of medium accuracy (Accuracy class-III), belonging to 'Millennium' series with branch name "ALEXANDRA" (herein referred to as the said model), manufactured by M/s. Alexandra Scale Pvt. Ltd., 1st Floor, Mistry Chambers, Nr. Cama Hotel, Khanpur, Ahmedabad-380 001 and which is assigned the approval mark IND/09/06/109;



The said model (see the figure given above) is a strain gauge type load cell based non-automatic weighing instrument with maximum capacity of 225 kg and minimum capacity of 2 kg. The verification scale interval (e) is 100g. The display is of Liquid Crystal Display (LCD) type. The instrument operates on 230 Volts and 50Hertz alternate current power supply.

In addition to sealing the stamping plate, sealing shall also be done to prevent the opening of the machine for fraudulent practices.

Further, in exercise of the powers conferred by sub-section (12) of Section 36 of the said Act, the Central Government hereby declares that this certificate of approval of the said model shall also cover the weighing instruments of similar make, accuracy and performance of same series with maximum capacity in the range of 100 kg to 225 kg with verification scale interval (n) in the range of 500 to 10,000 for 'e' value of 5 g or more and with 'e' value  $1 \times 10^k$ ,  $2 \times 10^k$  or  $5 \times 10^k$ , where k being a positive or negative whole number or equal to zero manufactured by the same manufacturer in accordance with the same principle, design and with the same materials with which, the said approved model has been manufactured.

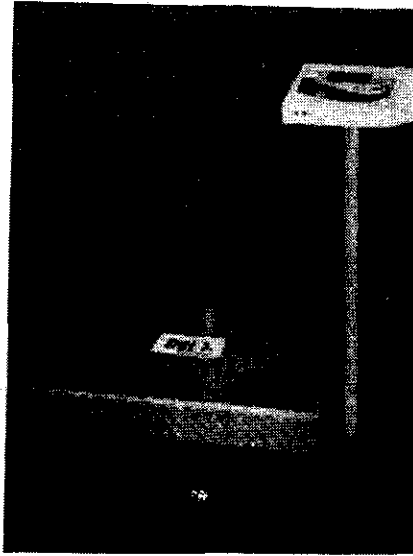
[F. No. WM-21(07)/2006]

P. A. KRISHNAMOORTHY, Director of Legal Metrology

नई दिल्ली, 13 जून, 2006

का. आ. 2566.—केन्द्रीय सरकार का, विहित प्राधिकारी द्वारा उसे प्रस्तुत रिपोर्ट पर विचार करने के पश्चात् यह समाधान हो गया है कि उक्त रिपोर्ट में वर्णित मॉडल (नीचे दी गई आकृति देखें) बाट और माप मानक अधिनियम, 1976 (1976 का 60) तथा बाट और माप मानक (मॉडलों का अनुमोदन) नियम, 1987 के उपबंधों के अनुरूप है और इस बात की संभावना है कि लगातार प्रयोग की अवधि में भी उक्त मॉडल यथार्थता बनाए रखेगा और विभिन्न परिस्थितियों में उपयुक्त सेवा प्रदान करता रहेगा;

अतः, अब, केन्द्रीय सरकार, उक्त अधिनियम की धारा 36 की उप-धारा (7) और (8) द्वारा प्रदत्त शक्तियों का प्रयोग करते हुए मैसर्स डेल ओटोमेशन, 1-78 पुथूर पोमथी विल्लई, कट्टीझकोडु पोस्ट-629806, जिला कन्याकुमारी, तमिलनाडु द्वारा निर्मित मध्यम यथार्थता वर्ग (यथार्थता वर्ग III) वाले “डी ए-पी टी” शृंखला के अंकक सूचन सहित अस्वचालित तोलन उपकरण (प्लेटफार्म प्रकार) के मॉडल का जिसके ब्रांड का नाम “डेल” है (जिसे इसमें इसके पश्चात् उक्त मॉडल कहा गया है) और जिसे अनुमोदन चिन्ह आई एन डी/09/05/285 समनुदेशित किया गया है, अनुमोदन प्रमाण-पत्र जारी और प्रकाशित करती है।



उक्त मॉडल एक विकृति गैज प्रकार का लोड सेल आधारित तोलन उपकरण (प्लेटफार्म प्रकार का) है। इसकी अधिकतम क्षमता 1000 कि.ग्रा. और न्यूनतम क्षमता 4 कि. ग्राम है। सत्यापन मापमान अंतराल (ई) का मान 200 ग्रा. है। इसमें एक आधेयतुलन युक्ति है जिसका शत प्रतिशत व्यवकलनात्मक धारित आधेयतुलन प्रभाव है। प्रकाश उत्सर्जक डायोड (एल ई डी) प्रदर्श तोलन परिणाम उपदर्शित करता है। उपकरण 230 वोल्ट, 50 हर्ट्ज प्रत्यावर्ती धारा विद्युत प्रदाय पर कार्य करता है।

स्टाम्पिंग प्लेट के मुद्रांकन के अतिरिक्त मशीन को कपटपूर्ण व्यवहारों के लिए खोलने से रोकने के लिए सीलबन्द भी किया जाएगा।

और केन्द्रीय सरकार उक्त अधिनियम की धारा 36 की उप-धारा (12) द्वारा प्रदत्त शक्तियों का प्रयोग करते हुए यह घोषणा करती है कि उक्त मॉडल के अनुमोदन के इस प्रमाण-पत्र के अंतर्गत उसी विनिर्माता द्वारा उसी सिद्धांत, डिजाइन के अनुसार और उसी सामग्री से, जिससे अनुमोदित मॉडल का निर्माण किया गया है, विनिर्मित उसी शृंखला के वैसे ही मेक, यथार्थता और कार्यपालन के तोलन उपकरण भी होंगे जो 5 ग्राम या उससे अधिक के “ई” मान के लिए 500 से 10,000 तक की रेंज में सत्यापन मान सहित 50 किलोग्राम से अधिक और 5000 कि.ग्रा. तक की अधिकतम क्षमता वाले हैं और “ई” मान  $1 \times 10^*$ ,  $2 \times 10^*$  या  $5 \times 10^*$ , के हैं, जो धनात्मक या ऋणात्मक पूर्णांक या शून्य के समतुल्य हैं।

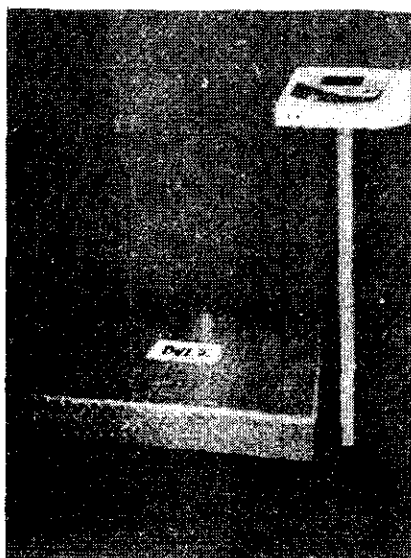
[फा. सं. डब्ल्यू एम-21(246)/2004]

पी. ए. कृष्णामूर्ति, निदेशक, विधिक माप विज्ञान

New Delhi, the 13th June, 2006

**S.O. 2566.**—Whereas the Central Government, after considering the report submitted to it by the prescribed authority, is satisfied that the models described in the said report (see the figure given below) is in conformity with the provisions of the Standards of Weights and Measures Act, 1976 (60 of 1976) and the Standards of Weights and Measures (Approval of Models) Rules, 1987 and the said model is likely to maintain its accuracy over periods of sustained use and to render accurate service under varied conditions;

Now, therefore, in exercise of the powers conferred by sub-sections (7) and (8) of Section 36 of the said Act, the Central Government hereby issues and publishes the certificate of approval of model of non-automatic weighing instrument (Platform type) with digital indication of "DA-PT" series of medium accuracy (Accuracy class-III), and with brand name "DEL" (herein referred to as the said model), manufactured by M/s. Del Automation, #1-78, Puthoor Pomathi Villai, Kattimancodu-Post-629 806, Kanyakumari-District, Tamil Nadu and which is assigned the approval mark IND/09/05/285;



The said model is a strain gauge type load cell based non-automatic weighing instrument (Platform type) with a maximum capacity of 1000 kg and minimum capacity of 4 kg. The verification scale interval (e) is 200g. It has a tare device with 100 per cent subtractive retained tare effect. The Light Emitting Diode (LED) display indicates the weighing result. The instrument operates on 230 Volts and 50Hertz alternate current power supply.

In addition to sealing the stamping plate, sealing shall also be done to prevent the opening of the machine for fraudulent practices and model shall not be changed in terms its material, accuracy, design, circuit diagram, working principle etc.

Further, in exercise of the powers conferred by sub-section (12) of Section 36 of the said Act, the Central Government hereby declares that this certificate of approval of the said model shall also cover the weighing instruments of similar make, accuracy and performance of same series with maximum capacity above 50kg and up to 5000kg with verification scale interval (n) in the range of 500 to 10,000 for 'e' value of 5g or more and with 'e' value of  $1 \times 10^k$ ,  $2 \times 10^k$  or  $5 \times 10^k$ , k being a positive or negative whole number or equal to zero manufactured by the same manufacturer in accordance with the same principle, design and with the same materials with which, the said approved model has been manufactured.

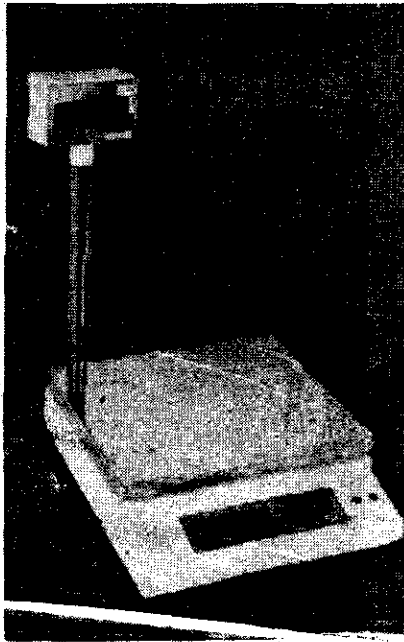
[F. No. WM-21(246)/2004]

P. A. KRISHNAMOORTHY, Director of Legal Metrology

नई दिल्ली, 13 जून, 2006

का. आ. 2567.—केन्द्रीय सरकार का, विहित प्राधिकारी द्वारा उसे प्रस्तुत रिपोर्ट पर विचार करने के पश्चात् यह समाधान हो गया है कि उक्त रिपोर्ट में वर्णित मॉडल (नीचे दी गई आकृति देखें) बाट और माप मानक अधिनियम, 1976 (1976 का 60) तथा बाट और माप मानक (मॉडलों का अनुमोदन) नियम, 1987 के उपबंधों के अनुरूप है और इस बात की संभावना है कि लगातार प्रयोग की अवधि में भी उक्त मॉडल यथार्थता बनाए रखेगा और विभिन्न परिस्थितियों में उपयुक्त सेवा प्रदान करता रहेगा;

अतः, अब, केन्द्रीय सरकार, उक्त अधिनियम की धारा 36 की उपधारा (7) और (8) द्वारा प्रदत्त शक्तियों का प्रयोग करते हुए मैसर्स डेल आटोमेशन, 1-78 पुथूर पोमथी विल्लई, कट्टीमनकोडू पोस्ट-629 806, जिला कन्याकुमारी, तमिलनाडु द्वारा निर्मित मध्यम यथार्थता (यथार्थता वर्ग-III) वाले "डी ए-पी टी" श्रृंखला के अंकक सूचन सहित अस्वच्छालित तोलन उपकरण (टेबल टॉप प्रकार) के मॉडल का जिसके ब्रांड का नाम "डेल" है (जिसे इसमें इसके पश्चात् उक्त मॉडल कहा गया है) और जिसे अनुमोदन चिन्ह आई एन डी/09/05/284 समनुदेशित किया गया है, अनुमोदन प्रमाण-पत्र जारी और प्रकाशित करती है।



उक्त मॉडल एक विकृति गेज प्रकार का लोड सेल आधारित तोलन उपकरण (टेबल टॉप प्रकार का) है। इसकी अधिकतम क्षमता 30 कि.ग्रा. है और न्यूनतम क्षमता 100 ग्राम है। सत्यापन मापमान अंतराल (ई) का मान 5 ग्रा. है। इसमें एक आधेयतुलन युक्त है जिसका शत प्रतिशत व्यवकलनात्मक धारित आधेयतुलन प्रभाव है। प्रकाश उत्सर्जक डायोड (एल ई डी) प्रदर्श तोलन परिणाम उपदर्शित करता है। उपकरण 230 वोल्ट, 50 हर्ट्ज प्रत्यावर्ती धारा विद्युत प्रदाय पर कार्य करता है।

स्टाम्पिंग प्लेट के मुद्रांकन के अतिरिक्त मशीन को कपटपूर्ण व्यवहारों के लिए खोलने से रोकने के लिए सीलबन्द भी किया जाएगा।

और केन्द्रीय सरकार अधिनियम की धारा 36 की उप-धारा (12) द्वारा प्रदत्त शक्तियों का प्रयोग करते हुए यह घोषणा करती है कि उक्त मॉडल के अनुमोदन के इस प्रमाण-पत्र के अंतर्गत उसी विनिर्माता द्वारा उसी सिद्धांत, डिजाइन के अनुसार और उसी सामग्री से, जिससे अनुमोदित मॉडल का निर्माण किया गया है, विनिर्मित उसी श्रृंखला के वैसे ही मैक, यथार्थता और कार्यपालन के तोलन उपकरण भी होंगे जो 100 मि.ग्रा. से 2 ग्रा. तक "ई" मान के लिए 100 से 10,000 तक के रेंज में सत्यापन मान अंतराल (एन) और 5 ग्रा. या उससे अधिक के "ई" मान के लिए 500 से 10,000 तक की रेंज में सत्यापन मान सहित 50 किलोग्राम तक की अधिकतम क्षमता वाले हैं और "ई" मान  $1 \times 10^{-6}$ ,  $2 \times 10^{-6}$  या  $5 \times 10^{-6}$ , के हैं, जो धनात्मक या ऋणात्मक पूर्णांक या शून्य के समतुल्य हैं।

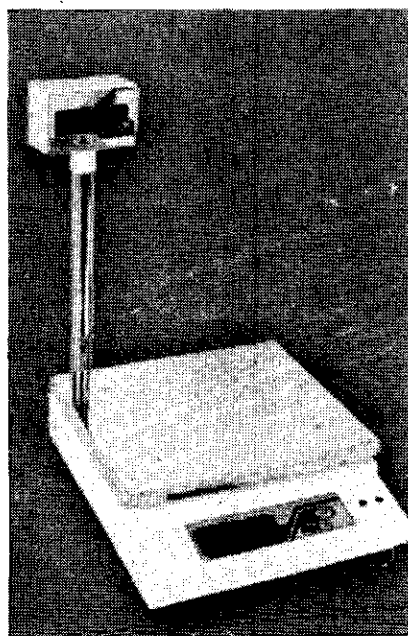
[फा. सं. डब्ल्यू एम-21(246)/2004]

पी. ए. कृष्णामूर्ति, निदेशक, विधिक माप विज्ञान

New Delhi, the 13th June, 2006

**S.O. 2567.**—Whereas the Central Government, after considering the report submitted to it by the prescribed authority, is satisfied that the model described in the said report (see the figure given below) is in conformity with the provisions of the Standards of Weights and Measures Act, 1976 (60 of 1976) and the Standards of Weights and Measures (Approval of Models) Rules, 1987 and the said model is likely to maintain its accuracy over periods of sustained use and to render accurate service under varied conditions;

Now, therefore, in exercise of the powers conferred by sub-sections (7) and (8) of Section 36 of the said Act, the Central Government hereby issues and publishes the certificate of approval of model of non-automatic weighing instrument (Table top type) with digital indication of “DA-TB” series of medium accuracy (Accuracy class-III), and with brand name “DEL” (hereinafter referred to as the said model), manufactured by M/s. Del Automation, #1-78, Puthoor Pomathi Villai, Kattimancodu-Post-629 806, Kanyakumari-District, Tamil Nadu and which is assigned the approval mark IND/09/05/284;



The said model is a strain gauge type load cell based non-automatic weighing instrument (Table top type) with a maximum capacity of 30 kg. and minimum capacity of 100 g. The verification scale interval (e) is 5g. It has a tare device with 100 per cent subtractive retained tare effect. The Light Emitting Diode (LED) display indicates the weighing result. The instrument operates on 230 Volts and 50 Hertz alternative current power supply.

In addition to sealing the stamping plate, sealing shall also be done to prevent the opening of the machine for fraudulent practices and model shall not be changed in terms of its material, accuracy, design, circuit diagram, working principle etc.

Further, in exercise of the powers conferred by sub-section (12) of Section 36 of the said Act, the Central Government hereby declares that this certificate of approval of the said model shall also cover the weighing instruments of similar make, and performance of same series with maximum capacity upto 50 kg. with verification scale interval (n) in the range of 100 to 10,000 for ‘e’ value of 100mg. to 2g. and with verification scale interval (n) in the range of 500 to 10,000 for ‘e’ value of 5g. or more and with ‘e’ value of  $1 \times 10^k$ ,  $2 \times 10^k$  or  $5 \times 10^k$ , where k is a positive or negative whole number or equal to zero manufactured by the same manufacturer in accordance with the same principle, design and with the same materials with which, the said approved model has been manufactured.

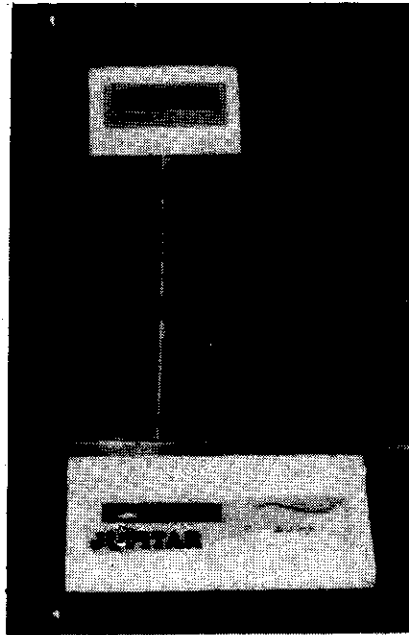
[F. No. WM-21(246)/2004]

P. A. KRISHNAMOORTHY, Director of Legal Metrology

नई दिल्ली, 13 जून, 2006

का. आ. 2568.—केन्द्रीय सरकार का, विहित प्राधिकारी द्वारा उसे प्रस्तुत रिपोर्ट पर विचार करने के पश्चात् यह समाधान हो गया है कि उक्त रिपोर्ट में वर्णित मॉडल (नीचे दी गई आकृति देखें) बाट और माप मानक अधिनियम, 1976 (1976 का 60) तथा बाट और माप मानक (मॉडलों का अनुमोदन) नियम, 1987 के उपबंधों के अनुरूप है और इस बात की संभावना है कि लगातार प्रयोग की अवधि में भी उक्त मॉडल यथार्थता बनाए रखेगा और विभिन्न परिस्थितियों में उपयुक्त सेवा प्रदान करता रहेगा;

अतः, अब, केन्द्रीय सरकार, उक्त अधिनियम की धारा 36 की उपधारा (7) और (8) द्वारा प्रदत्त शक्तियों का प्रयोग करते हुए मैसर्स जुपिटर इलेक्ट्रॉनिक्स, एन-9-के 2/1, नई सिडको कालोनी, राणा प्रताप चौक, नासिक-422 009 द्वारा विनिर्मित उच्च यथार्थता वर्ग (यथार्थता वर्ग-II) वाले "जे ई डब्ल्यू" शृंखला के अंकक सूचन सहित अस्वचालित तोलन उपकरण (टेबल टॉप प्रकार) के मॉडल का जिसके ब्रांड का नाम "जुपिटर" है (जिसे इसमें इसके पश्चात् उक्त मॉडल कहा गया है) और जिसे अनुमोदन चिन्ह आई एन डी/09/05/1055 समनुदेशित किया गया है, अनुमोदन प्रमाण-पत्र जारी और प्रकटित करती है।



उक्त मॉडल एक विकृति गेज प्रकार का लोड सेल आधारित अस्वचालित (टेबल टॉप प्रकार) तोलन उपकरण है। इसकी अधिकतम क्षमता 30 कि.ग्रा. है और न्यूनतम क्षमता 100 ग्राम है। सत्यापन मापमान अंतराल (ई) का मान 2 ग्रा. है। इसमें एक आधेयतुलन युक्ति है जिसका शत प्रतिशत व्यवकलनात्मक धारित आधेयतुलन प्रभाव है। प्रकाश उत्सर्जक डायोड (एल ई डी) प्रदर्श तोलन परिणाम उपदर्शित करता है। उपकरण 230 वोल्ट, 50 हर्ट्ज प्रत्यावर्ती धारा विद्युत प्रदाय पर कार्य करता है।

स्टाम्पिंग प्लेट के मुद्रांकन के अतिरिक्त मशीन को कपटपूर्ण व्यवहारों के लिए खोलने से रोकने के लिए सीलबन्द भी किया जाएगा।

और केन्द्रीय सरकार उक्त अधिनियम की धारा 36 की उपधारा (12) द्वारा प्रदत्त शक्तियों का प्रयोग करते हुए यह घोषणा करती है कि उक्त मॉडल के अनुमोदन के इस प्रमाणपत्र के अंतर्गत उसी विनिर्माता द्वारा उसी सिद्धांत, डिजाइन के अनुसार और उसी सामग्री से, जिससे अनुमोदित मॉडल का विनिर्माण किया गया है, विनिर्मित उसी शृंखला के वैसे ही मेक, यथार्थता और कार्यपालन के तोलन उपकरण भी होंगे जो 1 मि.ग्रा. से 50 मि. ग्रा. तक "ई" मान के लिए 100 से 5,000 तक के रेंज में सत्यापन मापमान अंतराल (एन) और 100 मि. ग्रा. या उससे अधिक के "ई" मान के लिए 5000 से 50,000 तक की रेंज में सत्यापन मान सहित 50 किलोग्राम तक की अधिकतम क्षमता वाले हैं और "ई" मान  $1 \times 10^{-6}$ ,  $2 \times 10^{-6}$  या  $5 \times 10^{-6}$ , के हैं, जो धनात्मक या ऋणात्मक पूर्णांक या शून्य के समतुल्य हैं।

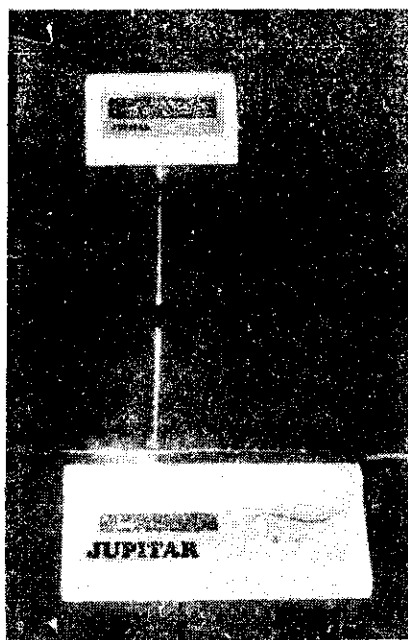
[फा. सं. डब्ल्यू एम-21(300)/2004]

पी. ए. कृष्णामूर्ति, निदेशक, विधिक माप विज्ञान

New Delhi, the 13th June, 2006

**S.O. 2568.**—Whereas the Central Government, after considering the report submitted to it by the prescribed authority, is satisfied that the model described in the said report (see the figure given below) is in conformity with the provisions of the Standards of Weights and Measures Act, 1976 (60 of 1976) and the Standards of Weights and Measures (Approval of Models) Rules, 1987 and the said Model is likely to maintain its accuracy over periods of sustained use and to render accurate service under varied conditions;

Now, therefore, in exercise of the powers conferred by sub-sections (7) and (8) of Section 36 of the said Act, the Central Government hereby issues and publishes the certificate of approval of model of non-automatic weighing instrument (Table top type) with digital indication of "JEW" series of high accuracy (Accuracy class-II), and with brand name "JUPITER" (hereinafter referred to as the said model), manufactured by M/s. Jupiter Electronics, N-9-K-2/1, New CIDCO Colony, Rana Pratap Chowk, Nashik-422 009, Maharashtra and which is assigned the approval mark IND/09/05/1055;



The said Model is a strain gauge type load cell based non-automatic weighing instrument (Table top type) with a maximum capacity of 30 kg. and minimum capacity of 100g. The verification scale interval (e) is 2g. It has a tare device with 100 per cent subtractive retained tare effect. The Light Emitting Diode (LED) indicates the weighing result. The instrument operates on 230 Volts and 50 Hertz alternative current power supply.

In addition to sealing the stamping plate, sealing shall also be done to prevent the opening of the machine for fraudulent practices.

Further, in exercise of the powers conferred by sub-section (12) of Section 36 of the said Act, the Central Government hereby declares that this certificate of approval of the said Model shall also cover the weighing instruments of similar make, accuracy and performance of same series with maximum capacity upto 50kg. with verification scale interval (n) in the range of 100 to 50,000 for 'e' value of 1mg. to 50 mg. and with verification scale interval (n) in the range of 5000 to 50,000 for 'e' value of 100mg. or more and with 'e' value of  $1 \times 10^k$ ,  $2 \times 10^k$  or  $5 \times 10^k$ , k is a positive or negative whole number or equal to zero manufactured by the same manufacturer in accordance with the same principle, design and with the same materials with which the said approved Model has been manufactured.

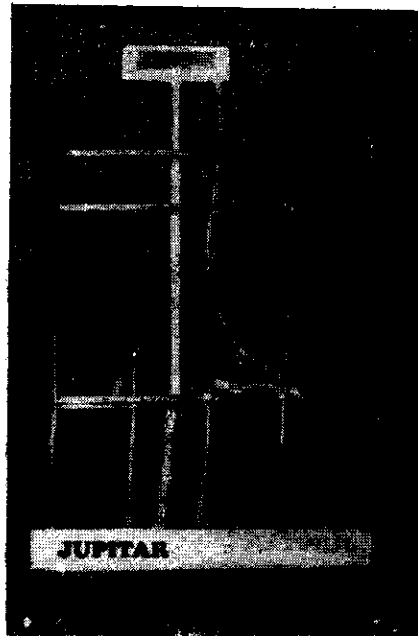
[F. No. WM-21(300)/2004]

P. A. KRISHNAMOORTHY, Director of Legal Metrology

नई दिल्ली, 13 जून, 2006

का.आ. 2569.—केन्द्रीय सरकार का, विहित प्राधिकारी द्वारा उसे प्रस्तुत रिपोर्ट पर विचार करने के पश्चात् यह समाधान हो गया है कि उक्त रिपोर्ट में वर्णित मॉडल (नीचे दी गई आकृति देखें) बाट और माप मानक अधिनियम, 1976 (1976 का 60) तथा बाट और माप मानक (मॉडलों का अनुमोदन) नियम, 1987 के उपबंधों के अनुरूप है और इस बात की संभावना है कि लगातार प्रयोग की अवधि में भी उक्त मॉडल यथार्थता बनाए रखेगा और विभिन्न परिस्थितियों में उपयुक्त सेवा प्रदान करता रहेगा;

अतः, अब, केन्द्रीय सरकार, उक्त अधिनियम की धारा 36 की उप-धारा (7) और (8) द्वारा प्रदत्त शक्तियों का प्रयोग करते हुए मैसर्स जुपिटर इलेक्ट्रॉनिक्स, एन-9-के 2/1, नई सिडको कालोनी, राणा प्रताप चौक, नासिक-422009 द्वारा विनिर्मित मध्यम यथार्थता (यथार्थता वर्ग II) वाले 'जे ई पी' श्रृंखला के अंकक सूचन सहित अस्वचालित तोलन उपकरण (प्लेटफार्म प्रकार) के मॉडल का जिसके ब्रांड का नाम "जुपिटर" है (जिसे इसमें इसके पश्चात् उक्त मॉडल कहा गया है) और जिसे अनुमोदन चिह्न आई एन डी/09/05/1056 समनुदेशित किया गया है, अनुमोदन प्रमाण-पत्र जारी और प्रकाशित करती है।



उक्त मॉडल एक विकृति गेज प्रकार का लोड सेल आधारित अस्वचालित तोलन उपकरण (प्लेटफार्म प्रकार) है। इसकी अधिकतम क्षमता 500 कि.ग्रा. है और न्यूनतम क्षमता 2 कि. ग्राम है। सत्यापन मापमान अंतराल (ई) का मान 100 ग्रा. है। इसमें एक आधेयतुलन युक्ति है जिसका शत प्रतिशत व्यवकलनात्मक धारित आधेयतुलन प्रभाव है। प्रकाश उत्सर्जक डायोड (एल ई डी) प्रदर्श तोलन परिणाम उपदर्शित करता है। उपकरण 230 वोल्ट, 50 हर्ट्ज प्रत्यावर्ती धारा विद्युत प्रदाय पर कार्य करता है।

स्टाम्पिंग प्लेट को सील करने के अतिरिक्त मशीन को कपटपूर्ण व्यवहारों के लिए खोले जाने से रोकने के लिए भी सीलबन्द किया जाएगा।

और केन्द्रीय सरकार उक्त अधिनियम की धारा 36 की उप-धारा (12) द्वारा प्रदत्त शक्तियों का प्रयोग करते हुए यह घोषणा करती है कि उक्त मॉडल के अनुमोदन के इस प्रमाण-पत्र के अंतर्गत उसी विनिर्माता द्वारा उसी सिद्धांत, डिजाइन के अनुसार और उसी सामग्री से, जिससे अनुमोदित मॉडल विनिर्मित किया गया है, विनिर्मित उसी श्रृंखला के वैसे ही मेक, यथार्थता और कार्यपालन के तोलन उपकरण भी होंगे जो 5 ग्राम या उससे अधिक के "ई" मान के लिए 500 से 10,000 तक की रेंज में सत्यापन मान (एन) अंतराल सहित 50 कि.ग्रा. से 1000 कि.ग्रा. तक की अधिकतम क्षमता वाले हैं और "ई" मान  $1 \times 10^3$ ,  $2 \times 10^3$  या  $5 \times 10^3$ , के हैं, जो धनात्मक या ऋणात्मक पूर्णांक या शून्य के समतुल्य हैं।

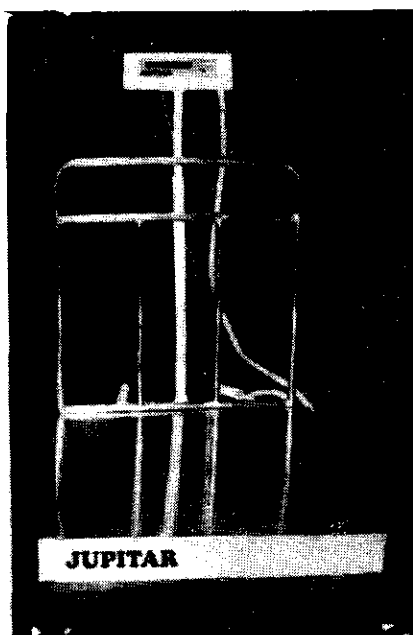
[फा. सं. डब्ल्यू एम-21(300)/2004]

पी. ए. कृष्णामूर्ति, निदेशक, विधिक माप विज्ञान

New Delhi, the 13th June, 2006

**S.O. 2569.**—Whereas the Central Government, after considering the report submitted to it by the prescribed authority, is satisfied that the model described in the said report (see the figure given below) is in conformity with the provisions of the Standards of Weights and Measures Act, 1976 (60 of 1976) and the Standards of Weights and Measures (Approval of Models) Rules, 1987 and the said model is likely to maintain its accuracy over periods of sustained use and to render accurate service under varied conditions;

Now, therefore, in exercise of the powers conferred by Sub-sections (7) and (8) of Section 36 of the said Act, the Central Government hereby issues and publishes the certificate of approval of the model of non-automatic weighing instrument (Platform type) with digital indication of "JEP" series of medium accuracy (Accuracy class-III) and with brand name "JUPITER" (hereinafter referred to as the said model), manufactured by M/s. Jupiter Electronics, N-9-K-2/1, New CIDCO Coloney, Rana Pratap Chowk, Nashik-422009, Maharashtra and which is assigned the approval mark IND/09/05/1056;



The said model is a strain gauge type load cell based non-automatic weighing instrument (Platform type) with a maximum capacity of 500 kg and minimum capacity of 2 kg. The verification scale interval (e) is 100g. It has a tare device with a 100 per cent subtractive retained tare effect. The Light Emitting Diode (LED) indicates the weighing result. The instrument operates on 230 Volts and 50Hertz alternative current power supply.

In addition to sealing the stamping plate, sealing shall also be done to prevent the opening of the machine for fraudulent practices.

Further, in exercise of the powers conferred by Sub-section (12) of Section 36 of the said Act, the Central Government hereby declares that this certificate of approval of the said model shall also cover the weighing instruments of similar make, accuracy and performance of same series with maximum capacity up to 50kg and above 1000 kg with verification scale interval (n) in the range of 500 to 10,000 for 'e' value of 5 g or more and with 'e' value of  $1 \times 10^k$ ,  $2 \times 10^k$  or  $5 \times 10^k$ , where k is a positive or negative whole number or equal to zero manufactured by the same manufacturer in accordance with the same principle, design and with the same materials with which, the said approved model has been manufactured.

[F. No. WM-21(300)/2004]

P. A. KRISHNAMOORTHY, Director of Legal Metrology

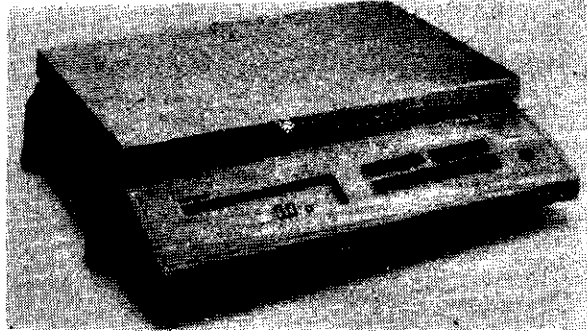
नई दिल्ली, 13 जून, 2006

का. आ. 2570.—केन्द्रीय सरकार का, विहित प्राधिकारी द्वारा उसे प्रस्तुत रिपोर्ट पर विचार करने के पश्चात् यह समाधान हो गया है कि उक्त रिपोर्ट में वर्णित मॉडल (नीचे दी गई आकृति देखें) बाट और माप मानक अधिनियम, 1976 (1976 का 60) तथा बाट और माप मानक (मॉडलों का अनुमोदन) नियम, 1987 के उपबंधों के अनुरूप है और इस बात की संभावना है कि लगातार प्रयोग की अवधि में भी उक्त मॉडल यथार्थता बनाए रखेगा और विभिन्न परिस्थितियों में उपयुक्त सेवा प्रदान करता रहेगा;

अतः, अब, केन्द्रीय सरकार, उक्त अधिनियम की धारा 36 की उप-धारा (7) और (8) द्वारा प्रदत्त शक्तियों का प्रयोग करते हुए मैसर्स मेटलर टोलेडो इण्डिया प्राइवेट लिमिटेड, अमर हिल, साकी विहार रोड, मुंबई-400072 द्वारा विनिर्मित विशेष यथार्थता वर्ग (यथार्थता वर्ग I) वाले "एस बी-1" शृंखला के अंकक सूचन सहित अस्वचालित तोलन उपकरण (टेबल टॉप प्रकार) के मॉडल का जिसके ब्राण्ड का नाम "मेटलर टोलेडो" है (जिसे इसमें इसके पश्चात् उक्त मॉडल कहा गया है) और जिसे अनुमोदन चिह्न आई एन डी/09/2006/42 समनुदेशित किया गया है, अनुमोदन प्रमाण-पत्र जारी और प्रकाशित करती है।

उक्त मॉडल एक मोनो ब्लाक प्रौद्योगिकी आधारित अस्वचालित तोलन उपकरण (टेबल टॉप प्रकार) है। इसकी अधिकतम क्षमता 16100 ग्रा. है और न्यूनतम क्षमता 10 ग्रा. है। सत्यापन मापमान अंतराल (ई) 0.1 ग्राम है। इसमें एक आधेयतुलन युक्ति है जिसका शत प्रतिशत व्यवकलनात्मक धारित आधेयतुलन प्रभाव है। प्रकाश उत्सर्जक डायोड (एल ई डी) प्रदर्श तोलन परिणाम उपदर्शित करता है। उपकरण 230 वोल्ट, 50 हर्ट्ज प्रत्यावर्ती धारा विद्युत प्रदाय पर कार्य करता है।

स्टाम्पिंग प्लेट को सील करने के अतिरिक्त मशीन को कपटपूर्ण व्यवहारों के लिए खोले जाने से रोकने के लिए सीलबन्द भी किया जाएगा और मॉडल को इसके सामग्री, यथार्थता, डिजाइन, सर्किट डायग्राम, वर्किंग सिद्धान्त आदि के रूप में कोई परिवर्तन न किया जा सके।



और केन्द्रीय सरकार उक्त अधिनियम की धारा 36 की उप-धारा (12) द्वारा प्रदत्त शक्तियों का प्रयोग करते हुए यह घोषणा करती है कि उक्त मॉडल के अनुमोदन के इस प्रमाण-पत्र के अंतर्गत उसी विनिर्माता द्वारा उसी सिद्धान्त, डिजाइन के अनुसार और उसी सामग्री से, जिससे अनुमोदित मॉडल विनिर्माण किया गया है, विनिर्मित उसी शृंखला के वैसे ही मेक, यथार्थता और कार्यपालन के तोलन उपकरण भी होंगे जो 1 मि. ग्राम या उससे अधिक के "ई" मान के लिए 50,000 या उससे अधिक की रेंज में सत्यापन मापमान अंतराल (एन) सहित 50 कि.ग्रा. तक की अधिकतम क्षमता वाले हैं और "ई" मान  $1 \times 10^{-6}$ ,  $2 \times 10^{-6}$  या  $5 \times 10^{-6}$  के हैं, जो धनात्मक या ऋणात्मक पूर्णांक या शून्य के समतुल्य हैं।

[फा. सं. डब्ल्यू एम-21(338)/2005]

पी. ए. कृष्णामूर्ति, निदेशक, विधिक माप विज्ञान

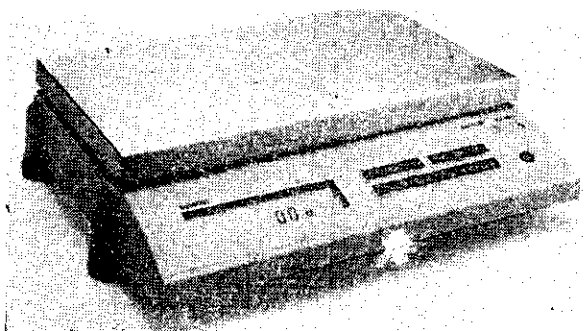
New Delhi, the 13th June, 2006

**S.O. 2570.**—Whereas the Central Government, after considering the report submitted to it by the prescribed authority, is satisfied that the models described in the said report (see the figure given below) is in conformity with the provisions of the Standards of Weights and Measures Act, 1976 (60 of 1976) and the Standards of Weights and Measures (Approval of Models) Rules, 1987 and the said model is likely to maintain its accuracy over period of sustained use and to render accurate service under varied conditions;

Now, therefore, in exercise of the powers conferred by Sub-sections (7) and (8) of Section 36 of the said Act, the Central Government hereby issues and publishes the certificate of approval of model of non-automatic weighing instrument (Table top type) with digital indication belonging to Special accuracy (Accuracy class-1) of 'SB-1' series with brand name "METTLER TOLEDO" (herein referred to as the said model), manufactured by M/s. Mettler Toledo India Private Limited, Amar Hill, Saki Vihar Road, Mumbai-400072 and which is assigned the approval mark IND/09/2006/42;

The said model is a mono-block technology based non-automatic weighing instrument (Table top type). Its maximum capacity is 16100 g and minimum capacity 10 g. The value of verification scale interval (e) is 0.1 g. It has a tare device with 100 per cent subtractive retained tare effect. The Liquid Emitting Displat (LED) indicates the weighing result. The instrument operates on 230 Volts and 50Hertz alternative current power supply.

In addition to sealing the stamping plate, sealing shall also be done to prevent the opening of the machine for fraudulent practices and model shall not be changed in terms of its material, accuracy, design, circuit diagram, working principle etc.



Further, in exercise of the powers conferred by Sub-section (12) of Section 36 of the said Act, the Central Government hereby declares that this certificate of approval of the said model shall also cover the weighing instruments of similar make, accuracy and performance of same series with maximum capacity up to 50 kg with verification scale interval (n) in the range of 50,000 or above for 'e' value of 1mg or more and with 'e' value  $1 \times 10^k$ ,  $2 \times 10^k$  or  $5 \times 10^k$ , where k is a positive or negative whole number or equal to zero manufactured by the same manufacturer in accordance with the same principle, design and with the same materials with which, the said approved model has been manufactured.

[F.No. WM-21(338)/2005]

P. A. KRISHNAMOORTHY, Director of Legal Metrology

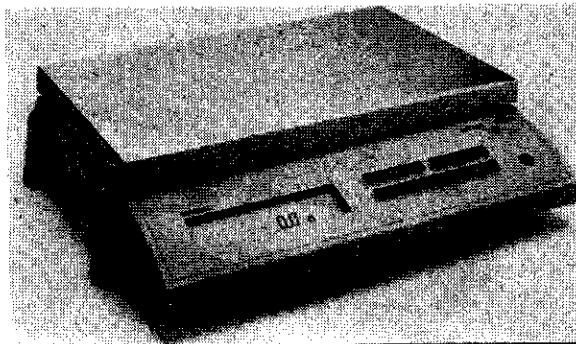
नई दिल्ली, 13 जून, 2006

का. आ. 2571.—केन्द्रीय सरकार का, विहित प्राधिकारी द्वारा उसे प्रस्तुत रिपोर्ट पर विचार करने के पश्चात् यह समाधान हो गया है कि उक्त रिपोर्ट में वर्णित मॉडल (नीचे दी गई आकृति देखें) बाट और माप मानक अधिनियम, 1976 (1976 का 60) तथा बाट और माप मानक (मॉडलों का अनुमोदन) नियम, 1987 के उपबंधों के अनुरूप है और इस बात की संभावना है कि लगातार प्रयोग की अवधि में भी उक्त मॉडल यथार्थता बनाए रखेगा और विभिन्न परिस्थितियों में उपयुक्त सेवा प्रदान करता रहेगा;

अतः, अब, केन्द्रीय सरकार, उक्त अधिनियम की धारा 36 की उप-धारा (7) और (8) द्वारा प्रदत्त शक्तियों का प्रयोग करते हुए मैसर्स मैटलर टोलेडो इण्डिया प्राइवेट लिमिटेड, अमर हिल, साकी विहार रोड, मुंबई-400072 द्वारा विनिर्मित मध्यम यथार्थता वर्ग (यथार्थता वर्ग II) वाले “एस बी-2” शृंखला के अंकक सूचन सहित अस्वचालित तोलन उपकरण (टेबल टॉप प्रकार) के मॉडल का जिसके ब्रांड का नाम “मैटलर टोलेडो” है (जिसे इसमें इसके पश्चात् उक्त मॉडल कहा गया है) और जिसे अनुमोदन चिह्न आई एन डी/09/2006/43 समनुदेशित किया गया है, अनुमोदन प्रमाण-पत्र जारी और प्रकाशित करती है।

उक्त मॉडल एक मोनो ब्लाक प्रौद्योगिकी आधारित अस्वचालित तोलन उपकरण (टेबल टॉप प्रकार) है। इसकी अधिकतम क्षमता 16100 ग्रा. है और न्यूनतम क्षमता 5 ग्रा. है। सत्यापन मापमान अंतराल (ई) 3200 ग्राम तक 0.1 ग्राम और 3200 से अधिक और 16100 ग्राम तक 1 ग्राम है। इसमें एक आधेयतुलन युक्ति है जिसका शत प्रतिशत व्यकलनात्मक धारित आधेयतुलन प्रभाव है। प्रकाश उत्सर्जक डायोड (एल ई डी) प्रदर्श तोलन परिणाम उपदर्शित करता है। उपकरण 230 वोल्ट, 50 हर्ट्ज प्रत्यावर्ती धारा विद्युत प्रदाय पर कार्य करता है।

स्टाम्पिंग प्लेट को सील करने के अतिरिक्त मशीन को कपटपूर्ण व्यवहारों के लिए खोले जाने से रोकने के लिए भी सीलबन्द किया जाएगा और मॉडल को इसके सामग्री, यथार्थता, डिजाइन, सर्किट डायग्राम, वर्किंग सिद्धान्त आदि के रूप में कोई परिवर्तन न किया जा सके।



और केन्द्रीय सरकार उक्त अधिनियम की धारा 36 की उप-धारा (12) द्वारा प्रदत्त शक्तियों का प्रयोग करते हुए यह घोषणा करती है कि उक्त मॉडल के अनुमोदन के इस प्रमाण-पत्र के अंतर्गत उसी विनिर्माता द्वारा उसी सिद्धान्त, डिजाइन के अनुसार और उसी सामग्री से, जिससे अनुमोदित मॉडल विनिर्माण किया गया है, विनिर्मित उसी शृंखला के वैसे ही मेक, यथार्थता और कार्यपालन के तोलन उपकरण भी होंगे जो 1 मि. ग्राम से 50 मि. ग्राम के “ई” मान के लिए 100 से 50,000 तक की रेंज में सत्यापन मापमान अंतराल (एन) और 100 मि. ग्राम या उससे अधिक के “ई” मान के लिए 5,000 से 50,000 तक की रेंज में सत्यापन मापमान अंतराल (एन) सहित 50 किलोग्राम तक की अधिकतम क्षमता वाले हैं और “ई” मान  $1 \times 10^*$ ,  $2 \times 10^*$  या  $5 \times 10^*$ , के हैं, जो धनात्मक या ऋणात्मक पूर्णांक या शून्य के समतुल्य हैं।

[फा. सं. डब्ल्यू एम-21(338)/2005]

पी. ए. कृष्णामूर्ति, निदेशक, विधिक माप विज्ञान

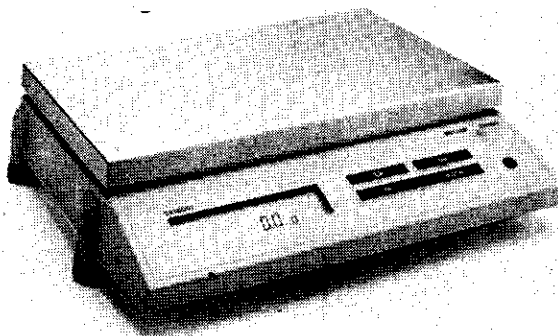
New Delhi, the 13th June, 2006.

**S.O. 2571.**—Whereas the Central Government, after considering the report submitted to it by the prescribed authority, is satisfied that the model described in the said report (see the figure given below) is in conformity with the provisions of the Standards of Weights and Measures Act, 1976 (60 of 1976) and the Standards of Weights and Measures (Approval of Models) Rules, 1987 and the said model is likely to maintain its accuracy over period of sustained use and to render accurate service under varied conditions;

Now, therefore, in exercise of the powers conferred by sub-sections (7) and (8) of Section 36 of the said Act, the Central Government hereby issues and publishes the certificate of approval of model of non-automatic weighing instrument (Table top type) with digital indication belonging to high accuracy (Accuracy class-II) of 'SB-2' series with brand name "METTLER TOLEDO" (herein referred to as the said model), manufactured by M/s. Mettler Toledo India Private Limited, Amar Hill, Saki Vihar Road, Mumbai-400072 and which is assigned the approval mark IND/09/2006/43;

The said model is a momo-block technology based non-automatic weighing instrument (Table top type). Its maximum capacity is 16100g and minimum capacity 5g. The value of verification scale interval (e) is 0.1g upto 3200g and 1g above 3200g and upto 16100g. It has a tare device with 100 per cent subtractive retained tare effect. The Liquid Crystal Display (LCD) indicates the weighing result. The instrument operates on 230 Volts, 50Hertz alternative current power supply.

In addition to sealing the stamping plate, sealing shall also be done to prevent the opening of the machine for fraudulent practices and model shall not be changed in terms of its material, accuracy, design, circuit diagram, working principle etc.



Further, in exercise of the powers conferred by sub-section (12) of Section 36 of the said Act, the Central Government hereby declares that this certificate of approval of the said model shall also cover the weighing instruments of similar make, accuracy and performance of same series with maximum capacity upto 50 kg with verification scale interval (n) in the range 100 to 50,000 for 'e' value of 1 mg to 50 mg and with verification scale interval (n) in the range of 5,000 to 50,000 for 'e' value of 100 mg or more and with 'e' value  $1 \times 10^k$ ,  $2 \times 10^k$  or  $5 \times 10^k$ , where k is a positive or negative whole number or equal to zero manufactured by the same manufacturer in accordance with the same principle, design and with the same materials with which, the said approved model has been manufactured.

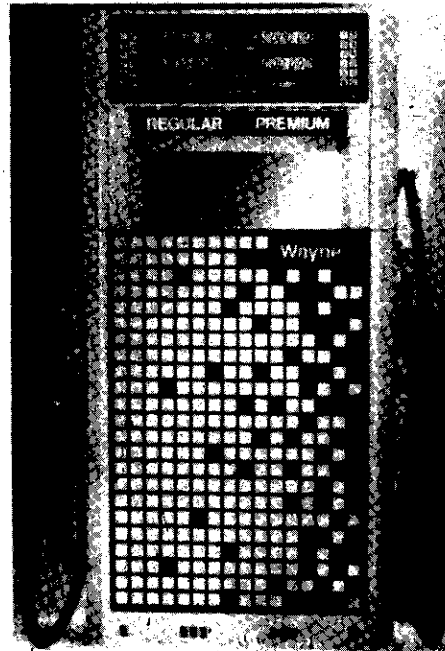
[F. No. WM-21(338)/2005]

P. A. KRISHNAMOORTHY, Director of Legal Metrology

नई दिल्ली, 13 जून, 2006

का. आ. 2572.—केन्द्रीय सरकार का, नेशनल इंस्टीट्यूट ऑफ मैट्रालोजी स्टैण्डर्डाइजेशन एण्ड इंडस्ट्रीयल क्वालिटी, ब्राजील जो इस प्रयोजनार्थ एक अधिसूचित निकाय है, के विहित प्राधिकारी द्वारा जांच रिपोर्ट और मूल्यांकन रिपोर्ट के जांच परिणामों द्वारा मॉडल के अनुमोदन के प्रमाणपत्र के साथ उसे प्रस्तुत रिपोर्ट पर विचार करने के पश्चात् यह समाधान हो गया है कि उक्त रिपोर्ट में वर्णित मॉडल (नीचे दी गई आकृति देखें) बाट और माप मानक अधिनियम, 1976 (1976 का 60) तथा बाट और माप मानक (मॉडलों का अनुमोदन) नियम, 1987 के उपबंधों के अनुरूप है और इस बात की संभावना है कि लगातार प्रयोग की अवधि में भी उक्त मॉडल यथार्थता बनाए रखेगा और विभिन्न परिस्थितियों में उपयुक्त सेवा प्रदान करता रहेगा;

अतः, अब, केन्द्रीय सरकार, उक्त अधिनियम की उपधारा (3) के तीसरे परन्तुक और धारा 36 की उप-धारा (7) और (8) द्वारा प्रदत्त शक्तियों का प्रयोग करते हुए मैसर्स इंसर इंडस्ट्रीया कामसिओ लि., ए-डिविसाओ वायेन, इस्ट्राडा डू टिम्बो, 126-हिजीइनोपोलिस-रिओ-डे-जेनेरिओ-आर जे, ब्राजील द्वारा विनिर्मित '3/जी 2201' शृंखला के अंकक सूचन सहित फ्यूल डिस्पेंसर के मॉडल को जिसे भारत में कोई परिवर्तन/परिवर्धन किए बिना मैसर्स जनरल एनर्जी मैनेजमेंट सिस्टम प्राइवेट लिमिटेड, नं. 521-522 कमर्शियल प्लाजा होटल ली मेरिडियन, विंडसर पैलेस, नई दिल्ली-110001 को बेचा गया है, के मॉडल का, जिसके ब्रांड का नाम "ग्लोबल सेंचुरी" है (जिसे इसमें इसके पश्चात् उक्त मॉडल कहा गया है) और जिसे अनुमोदन चिह्न आई एन डी/13/06/249 समनुदेशित किया गया है, अनुमोदन प्रमाण-पत्र जारी और प्रकाशित करती है।



उक्त मॉडल एक इलैक्ट्रॉनिक डिस्पेंसिंग पम्प है। जिसमें एक ही हाउजिंग में पोजिटिव डिस्प्लेसमेंट मीटर और एक अथवा एक से अधिक काम्प्राइजिंग हाइड्रॉलिक सब सिस्टम लगे हैं जो एक कॉमन इलैक्ट्रॉनिक्स, आई जी ई एम से जुड़े हैं। यह एक ही समय में दो उपभोक्ताओं को भी सेवाएं प्रदान कर सकता है। इसमें 4 मोटर 4 प्लस जेनेरेटर, 8 नोजल तथा 10 सोलेनॉइड वाल्व हैं जो एक एसम्बली में लगे हैं। इसका अधिकतम प्रवाह 130 लीटर प्रति मिनट तथा न्यूनतम प्रवाह 2 लीटर प्रति मिनट हैं। इसमें राशि और मात्रा के लिए प्री-सेट पद्धति है। अधिकतम मात्रा 6 अंकों में तथा अधिकतम मूल्य भी 6 अंकों में प्रदर्शित किया जाता है। यह उपकरण 230 वोल्ट और 50 हर्ट्ज प्रत्यावर्ती धारा विद्युत प्रदाय पर कार्य करता है। ओ आई एम आर 117 की विशिष्टियों के आधार पर जांच आयोजित की गई है।

स्टाम्पिंग प्लेट के मुद्रांकन के अतिरिक्त मशीन को कपटपूर्ण व्यवहारों के लिए खोलने से रोकने के लिए सीलबन्द भी किया जाएगा और मॉडल को उसकी सामग्री, यथार्थता, डिजाइन, सर्किट डायग्राम, निष्पादन सिद्धान्त आदि की शर्तों पर परिवर्तित/परिवर्धित नहीं किया जाएगा।

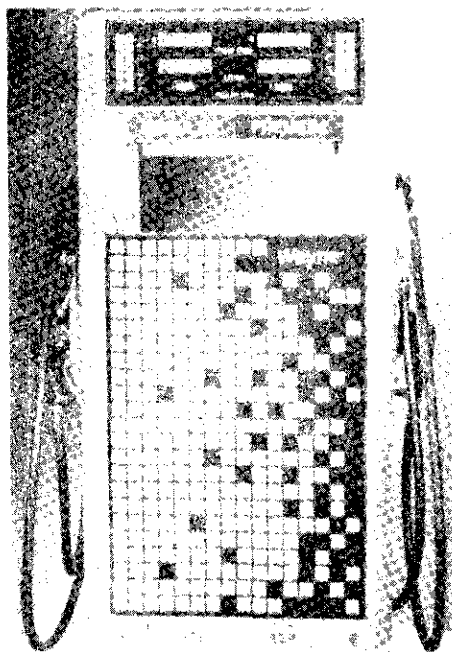
[फा. सं. डब्ल्यू एम-21(180)/2005]

पी. ए. कृष्णामूर्ति, निदेशक, विधिक माप विज्ञान

New Delhi, the 13th June, 2006

**S.O. 2572.**—Whereas the Central Government, after considering the report submitted to it along with the pattern evaluation report and test result granted and approved by the prescribed authority, a notified body for the purpose in the Brazil, National Institute of Metrology, Standardization and Industrial Quality (INMETRO) is satisfied that the model described in the said report (see the figure given below) is in conformity with the provisions of the Standards of Weights and Measures Act, 1976 (60 of 1976) and the Standards of Weights and Measures (Approval of Models) Rules, 1987 and the said model is likely to maintain its accuracy over period of sustained use and to render accurate service under varied conditions;

Now, therefore, in exercise of the powers conferred by the third proviso to Sub-section (3) and Sub-sections (7) and (8) of Section 36 of the said Act, the Central Government hereby approves, issues and publishes the certificate of approval of the model of Fuel Dispensers (hereinafter referred to as said model) of series "3/G2201" with brand name "Global Century", manufactured by M/s. Dresser Industria e Comercio Ltda-Division Wayne, Estrada do Tinbo, 126-Higienopolis-Rio de Janeiro-RJ, Brazil and marketed in India without any alteration by M/s. General Energy Management Systems Private Limited, No. 521-522, Commercial Plaza, Hotel Le Meridian, Windsor Palace, New Delhi-110001 and which is assigned the approval mark IND/13/06/249;



The said model is an electronic dispensing pump positive displacement meter and comprising one or more hydraulic subsystems in the same housing, with one common electronics, iGEM, able to serve up to two customer at a time. It consist of 4 motors, 4 pulse generators, 8 nozzles and 10 solenoid volve in one assembly. The maximum flow rate is 130 litre per minute and minimum flow rate is 2 litre per minute. It has preset device for money and volume. The maximum volume display is in 6 digits and price display is in 6 digits. The instrument operates on 230 Volts, 50Hertz alternative current power supply. It has an electro-mechanical totalizer. The test has been conducted as per OIML R 117 specification.

In addition to sealing the stamping plate, sealing shall also be done on the Metering unit and totalized to prevent the fraudulent practices and model shall not be changed in terms of its material, accuracy, design, circuit diagram, working principle etc.

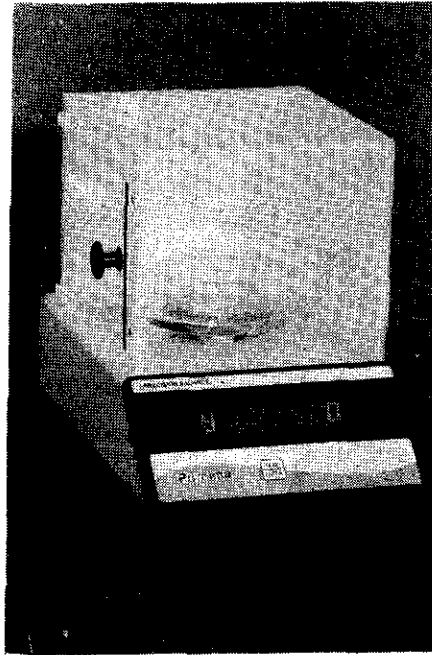
[F. No. WM-21(180)/2005]

P. A. KRISHNAMOORTHY, Director of Legal Metrology

नई दिल्ली, 13 जून, 2006

का. आ. 2573.—केन्द्रीय सरकार का, विहित प्राधिकारी द्वारा उसे प्रस्तुत रिपोर्ट पर विचार करने के पश्चात् यह समाधान हो गया है कि उक्त रिपोर्ट में वर्णित मॉडल (नीचे दी गई आकृति देखें) बाट और माप मानक अधिनियम, 1976 (1976 का 60) तथा बाट और माप मानक (मॉडलों का अनुमोदन) नियम, 1987 के उपबंधों के अनुरूप है और इस बात की संभावना है कि लगातार प्रयोग की अवधि में भी उक्त मॉडल यथार्थता बनाए रखेगा और विभिन्न परिस्थितियों में उपयुक्त सेवा प्रदान करता रहेगा;

अतः, अब, केन्द्रीय सरकार, उक्त अधिनियम की धारा 36 की उप-धारा (7) और (8) द्वारा प्रदत्त शक्तियों का प्रयोग करते हुए मैसर्स पूर्णिमा एण्ड कम्पनी, प्लॉट नं. 15/बी-17, दीप, गोरेल, बोरवली (वेस्ट), मुंबई-400092 द्वारा विनिर्मित उच्च यथार्थता (यथार्थता वर्ग II) वाले 'पी डब्ल्यू ई' शृंखला के अंकक सूचन सहित अस्वचालित तोलन उपकरण (टेबल टाप प्रकार) के मॉडल का, जिसके ब्रांड का नाम "पूर्णमा" है (जिसे इसमें इसके पश्चात् उक्त मॉडल कहा गया है) और जिसे अनुमोदन चिह्न आई एन डी/09/06/110 समनुदेशित किया गया है, अनुमोदन प्रमाण-पत्र जारी और प्रकाशित करती है।



उक्त मॉडल एक विकृति गेज प्रकार का लोड सेल आधारित अस्वचालित (टेबल टाप प्रकार) तोलन उपकरण है। इसकी अधिकतम क्षमता 11 कि. ग्रा. और न्यूनतम क्षमता 50 ग्रा. है। सत्यापन मापमान अंतराल (ई) का मान 1 ग्रा. है इसमें एक आधेयतुलन युक्ति है जिसका शत प्रतिशत व्यवकलनात्मक धारित आधेयतुलन प्रभाव है। प्रकाश उत्सर्जक डायोड (एल ई डी) प्रदर्श तोलन परिणाम उपदर्शित करता है। उपकरण 230 वोल्ट और 50 हर्ट्ज प्रत्यावर्ती धारा विद्युत प्रदाय पर कार्य करता है।

स्टाम्पिंग प्लेट के मुद्रांकन के अतिरिक्त मशीन को कपटपूर्ण व्यवहारों के लिए खोलने से रोकने के लिए सीलबन्द भी किया जाएगा। और मॉडल को बिक्री से पूर्व अथवा बाद में उसकी सामग्री, यथार्थता, डिजाइन, सर्किट रूपरेखा आदि के संबंध में बदला नहीं जाएगा।

और केन्द्रीय सरकार उक्त अधिनियम की धारा 36 की उप-धारा (12) द्वारा प्रदत्त शक्तियों का प्रयोग करते हुए यह घोषणा करती है कि उक्त मॉडल के अनुमोदन के इस प्रमाण पत्र के अंतर्गत उसी विनिर्माता द्वारा उसी सिद्धांत, डिजाइन के अनुसार और उसी समग्री से जिससे अनुमोदित मॉडल विनिर्मित किया गया है, विनिर्मित उसी शृंखला के वैसे ही मेक, यथार्थता और कार्यपालन के तोलन उपकरण भी होंगे जो 1 मि. ग्राम से 50 मि. ग्राम तक "ई" मान के लिए 100 से 5,000 तक की रेंज में सत्यापन मापमान अंतराल (एन) और 100 मि. ग्राम या उससे अधिक के "ई" मान के लिए 5,000 से 50,000 तक की रेंज में सत्यापन मान सहित 50 किलोग्राम तक की अधिकतम क्षमता वाले हैं और "ई" मान  $1 \times 10^*$ ,  $2 \times 10^*$  या  $5 \times 10^*$ , के हैं, जो धनात्मक या ऋणात्मक पूर्णांक या शून्य के समतुल्य हैं।

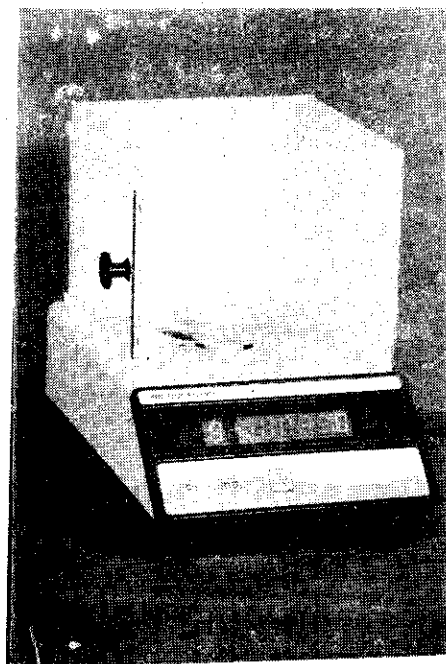
[फा. सं. डब्ल्यू एम-21(152)/2005]

पी. ए. कृष्णामूर्ति, निदेशक, विधिक माप विज्ञान

New Delhi, the 13th June, 2006

**S.O. 2573.**—Whereas the Central Government, after considering the report submitted to it by the prescribed authority, is satisfied that the model described in the said report (see the figure given below) is in conformity with the provisions of the Standards of Weights and Measures Act, 1976 (60 of 1976) and the Standards of Weights and Measures (Approval of Models) Rules, 1987 and the said model is likely to maintain its accuracy over periods of sustained use and to render accurate service under varied conditions;

Now, therefore, in exercise of the powers conferred by Sub-sections (7) and (8) of Section 36 of the said Act, the Central Government hereby issues and publishes the certificate of approval of the model of non-automatic weighing instrument (Table top type) with digital indication of "PWE" series of high accuracy (Accuracy class-II) and with brand name "PURNIMA" (hereinafter referred to as the said model), manufactured by M/s Prunima and Company, Plot No. 15/B-17, Deep, Gorail, Borawali (W), Mumbai-400092 and which is assigned the approval mark IND/09/06/110;



The said model is a strain gauge type load cell based non-automatic weighing instrument (Table top type) with a maximum capacity of 11 kg. and minimum capacity of 50g. The verification scale interval (e) is 1g. It has a tare device with a 100 per cent subtractive retained tare effect. The Light Emitting Diode (LED) indicates the weighing result. The instrument operates on 230 Volts and 50 Hertz alternative current power supply;

In addition to sealing the stamping plate, sealing shall also be done to prevent opening of the machine for fraudulent practices and model shall not be changed in terms of its material, accuracy, design, circuit diagram, working principle etc. before or after sale.

Further, in exercise of the powers conferred by Sub-section (12) of Section 36 of the said Act, the Central Government hereby declares that this certificate of approval of the said model shall also cover the weighing instruments of similar make and performance of same series with maximum capacity up to 50 kg and with number of verification scale interval (n) in the range 100 to 50,000 for 'e' value of 1 mg to 50 mg and with number of verification scale interval (n) in the range of 5,000 to 50,000 for 'e' value of 100 mg or more and with 'e' value  $1 \times 10^k$ ,  $2 \times 10^k$  or  $5 \times 10^k$ , k being the positive or negative whole number or equal to zero manufactured by the same manufacturer in accordance with the same principle, design and with the same materials with which, the said approved model has been manufactured.

[F. No. WM-21(152)/2005]

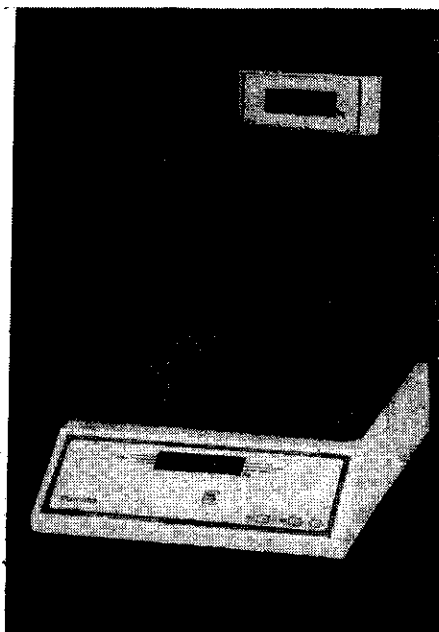
P. A. KRISHNAMOORTHY, Director of Legal Metrology

नई दिल्ली, 13 जून, 2006

का. आ. 2574.—केन्द्रीय सरकार का, विहित प्राधिकारी द्वारा उसे प्रस्तुत रिपोर्ट पर विचार करने के पश्चात् यह समाधान हो गया है कि उक्त रिपोर्ट में वर्णित मॉडल (नीचे दी गई आकृति देखें) बाट और माप मानक अधिनियम, 1976 (1976 का 60) तथा बाट और माप मानक (मॉडलों का अनुमोदन) नियम, 1987 के उपबंधों के अनुरूप है और इस बात की संभावना है कि लगातार प्रयोग की अवधि में भी उक्त मॉडल यथार्थता बनाए रखेगा और विभिन्न परिस्थितियों में उपयुक्त सेवा प्रदान करता रहेगा;

अतः, अब, केन्द्रीय सरकार, उक्त अधिनियम की धारा 36 की उप-धारा (7) और (8) द्वारा प्रदत्त शक्तियों का प्रयोग करते हुए मैसर्स पूर्णिमा एण्ड कम्पनी, प्लॉट नं. 15/बी-17, दीप, गोरेल, बोरावली (वेस्ट) मुंबई-400 092 द्वारा निर्मित मध्यम यथार्थता वर्ग (यथार्थता वर्ग-III) वाले “पी डब्ल्यू टी” श्रृंखला के अंकक सूचन सहित अस्वचालित तोलन उपकरण (टेबल टॉप प्रकार) के मॉडल का, जिसके ब्रांड का नाम “पूर्णिमा” है (जिसे इसमें इसके पश्चात् उक्त मॉडल कहा गया है) और जिसे अनुमोदन चिह्न आई एन डी/09/06/111 समनुदेशित किया गया है, अनुमोदन प्रमाण-पत्र जारी और प्रकाशित करती है।

उक्त मॉडल एक विकृति गेज प्रकार का लोड सेल आधारित अस्वचालित (टेबल टॉप प्रकार) तोलन उपकरण है। इसकी अधिकतम क्षमता 30 कि.ग्रा. और न्यूनतम क्षमता 100 ग्राम है। सत्यापन मापमान अंतराल (ई) का मान 5 ग्राम है। इसमें एक आधेयतुलन युक्ति है जिसका शत प्रतिशत व्यकलनात्मक धारित आधेयतुलन प्रभाव है। प्रकाश उत्सर्जक डायोड (एल ई डी) प्रदर्श तोलन परिणाम उपदर्शित करता है। उपकरण 230 वोल्ट और 50 हर्ट्ज प्रत्यावर्ती धारा विद्युत प्रदाय पर कार्य करता है।



स्टाम्पिंग प्लेट के मुद्रांकन के अतिरिक्त मशीन को कपटपूर्ण व्यवहारों के लिए खोलने से रोकने के लिए सीलबन्द भी किया जाएगा। और मॉडल को बिक्री से पूर्व अथवा बाद में उसकी सामग्री, यथार्थता, डिजाइन, सर्किट रुपरेखा आदि के संबंध में बदला नहीं जाएगा।

और केन्द्रीय सरकार उक्त अधिनियम की धारा 36 की उप-धारा (12) द्वारा प्रदत्त शक्तियों का प्रयोग करते हुए यह घोषणा करती है कि उक्त मॉडल के अनुमोदन के इस प्रमाण-पत्र के अंतर्गत उसी विनिर्माता द्वारा उसी सिद्धांत, डिजाइन के अनुसार और उसी सामग्री से, जिससे अनुमोदित मॉडल विनिर्मित किया गया है, विनिर्मित उसी श्रृंखला के वैसे ही मेक, यथार्थता और कार्यपालन के तोलन उपकरण भी होंगे जो 100 मि. ग्राम से 2 ग्राम तक ‘ई’ मान के लिए 100 से 10,000 तक के रेंज में सत्यापन मापमान अंतराल (एन) और 5 ग्राम या उससे अधिक के ‘ई’ मान के लिए 500 से 10,000 तक की रेंज में सत्यापन मान सहित 50 कि.ग्रा. तक की अधिकतम क्षमता वाले हैं और “ई” मान  $1 \times 10^{-6}$ ,  $2 \times 10^{-6}$  या  $5 \times 10^{-6}$  के हैं, जो धनात्मक या ऋणात्मक पूर्णांक या शून्य के समतुल्य हैं।

[फा. सं. डब्ल्यू एम-21(152)/2005]

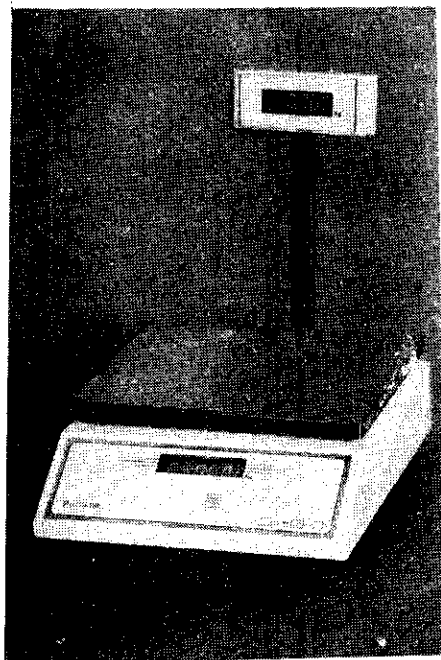
पी. ए. कृष्णामूर्ति, निदेशक, विधिक माप विज्ञान

New Delhi, the 13 June, 2006

**S.O. 2574.**—Whereas the Central Government, after considering the report submitted to it by the prescribed authority, is satisfied that the Model described in the said report (see the figure given below) is in conformity with the provisions of the Standards of Weights and Measures Act, 1976 (60 of 1976) and the Standards of Weights and Measures (Approval of Models) Rules, 1987 and the said Model is likely to maintain its accuracy over periods of sustained use and to render accurate service under varied conditions;

Now, therefore, in exercise of the powers conferred by Sub-sections (7) and (8) of Section 36 of the said Act, the Central Government hereby issues and publishes the certificate of approval of Model of non-automatic (Table top type) weighing instrument with digital indication of 'PWT' series of medium accuracy (Accuracy class-III), and with brand name "PURNIMA" (hereinafter referred to as the said Model), manufactured by M/s. Purnima & Company, Plot No. 15/B-17, Deep, Gorail, Borawali (W), Mumbai-400 092 and which is assigned the approval mark IND/09/06/111;

The said Model is a strain gauge type load cell based non-automatic weighing instrument (Table top type) with a maximum capacity of 30 kg and minimum capacity of 100g. The verification scale interval (e) is 5g. It has a tare device with 100 per cent subtractive retained tare effect. The Light Emitting Diode (LED) indicates the weighing result. The instrument operates on 230 Volts, 50 Hertz alternative current power supply.



In addition to sealing the stamping plate, sealing shall also be done to prevent the opening of the machine for fraudulent practices and Model shall not be changed in terms of its material, accuracy, design, circuit diagram, working principle, etc. before or after sale.

Further, in exercise of the powers conferred by Sub-section (12) of Section 36 of the said Act, the Central Government hereby declares that this certificate of approval of the said Model shall also cover the weighing instrument of similar make, accuracy and performance of same series with maximum capacity upto 50kg. with verification scale interval (n) in the range of 100 to 10,000 for 'e' value of 100mg. to 2g. or with verification scale interval (n) in the range of 500 to 10,000 for 'e' value of 5g. or more and with 'e' value of  $1 \times 10^k$ ,  $2 \times 10^k$  or  $5 \times 10^k$ , k being a positive or negative whole number or equal to zero manufactured by the same manufacturer in accordance with the same principle, design and with the same materials with which, the said approved Model has been manufactured.

[F. No. WM-21(152)/2005]

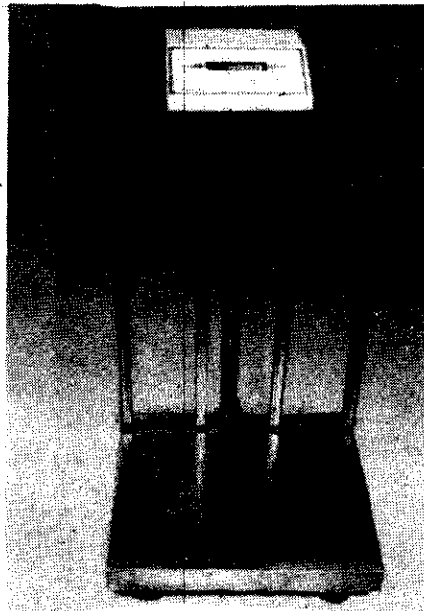
P. A. KRISHNAMOORTHY, Director of Legal Metrology

नई दिल्ली, 13 जून, 2006

का. आ. 2575.—केन्द्रीय सरकार का, विहित प्राधिकारी द्वारा उसे प्रस्तुत रिपोर्ट पर विचार करने के पश्चात् यह समाधान हो गया है कि उक्त रिपोर्ट में वर्णित मॉडल (नीचे दी गई आकृति देखें) बाट और माप मानक अधिनियम, 1976 (1976 का 60) तथा बाट और माप मानक (मॉडलों का अनुमोदन) नियम, 1987 के उपबंधों के अनुरूप है और इस बात की संभावना है कि लगातार प्रयोग की अवधि में भी उक्त मॉडल यथार्थता बनाए रखेगा और विभिन्न परिस्थितियों में उपयुक्त सेवा प्रदान करता रहेगा;

अतः, अब, केन्द्रीय सरकार, उक्त अधिनियम की धारा 36 की उप-धारा (7) और (8) द्वारा प्रदत्त शक्तियों का प्रयोग करते हुए मैसर्स पूर्णिमा एण्ड कम्पनी, प्लॉट नं. 15/बी-17, दीप, गोरेल, बोरगवली (वेस्ट), मुंबई-4000 92 द्वारा विनिर्मित मध्यम यथार्थता (यथार्थता वर्ग-III) वाले "पी डब्ल्यू पी" शृंखला के अंकक सूचन सहित अस्वचालित तोलन उपकरण (प्लेट फॉर्म प्रकार) के मॉडल का, जिसके ब्रांड का नाम "पूर्णमा" है (जिसे इसमें इसके पश्चात् उक्त मॉडल कहा गया है) और जिसे अनुमोदन चिन्ह आई एन डी/09/06/112 समनुदेशित किया गया है, अनुमोदन प्रमाण-पत्र जारी और प्रकाशित करती है।

उक्त मॉडल विकृति गेज प्रकार का भार सेल आधारित तोलन उपकरण है। इसकी अधिकतम क्षमता 1000 कि.ग्रा. और न्यूनतम क्षमता 2 कि.ग्राम है। सत्यापन मापमान अंतराल (ई) का मान 100 ग्राम है। इसमें एक आधेयतुलन युक्ति है जिसका शत प्रतिशत व्यकलनात्मक धारित आधेयतुलन प्रभाव है। प्रकाश उत्सर्जक डायोड (एल ई डी) प्रदर्श-तोलन परिणाम उपदर्शित करता है। उपकरण 230 वोल्ट और 50 हर्ट्ज प्रत्यावर्ती धारा विद्युत प्रदाय पर कार्य करता है।



स्टाम्पिंग प्लेट के को सील करने के अतिरिक्त मशीन को कपटपूर्ण व्यवहारों के लिए खोले जाने से रोकने के लिए सीलबन्ध भी किया जाएगा। और इस मॉडल को उसकी सामग्री, यथार्थता, डिजाइन, सर्किट डायग्राम, कार्यकरी सिद्धांतों आदि की शर्तों पर परिवर्तित/परिवर्धित नहीं किया जाएगा।

और केन्द्रीय सरकार उक्त अधिनियम की धारा 36 की उप-धारा (12) द्वारा प्रदत्त शक्तियों का प्रयोग करते हुए यह घोषणा करती है कि उक्त मॉडल के अनुमोदन के इस प्रमाण-पत्र के अंतर्गत उसी विनिर्माता द्वारा उसी सिद्धांत, डिजाइन के अनुसार और उसी सामग्री से, जिससे अनुमोदित मॉडल विनिर्मित किया गया है, विनिर्मित उसी शृंखला के वैसे ही मेक, यथार्थता और कार्यपालन के तोलन उपकरण भी होंगे जो 5 ग्राम या उससे अधिक के 'ई' मान के लिए 500 से 10,000 तक की रेंज में सत्यापन मान (एन) अंतराल सहित 50 कि.ग्रा. से 5000 कि. ग्रा. तक की अधिकतम क्षमता वाले हैं और 'ई' मान  $1 \times 10^{-6}$ ,  $2 \times 10^{-6}$  या  $5 \times 10^{-6}$ , के हैं, जो धनात्मक या ऋणात्मक पूर्णांक या शून्य के समतुल्य हैं।

[फा. सं. डब्ल्यू एम-21(152)/2005]

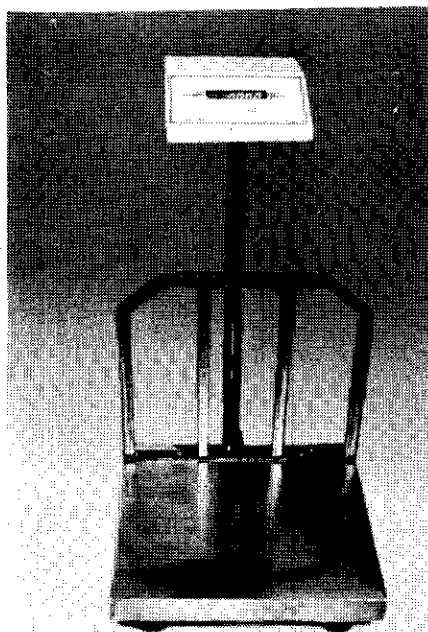
पी. ए. कृष्णामूर्ति, निदेशक, विधिक माप विज्ञान

New Delhi, the 13th June, 2006

**S.O. 2575.**—Whereas the Central Government, after considering the report submitted to it by the prescribed authority, is satisfied that the Model described in the said report (see the figure given below) is in conformity with the provisions of the Standards of Weights and Measures Act, 1976 (60 of 1976) and the Standards of Weights and Measures (Approval of Models) Rules, 1987 and the said Model is likely to maintain its accuracy over periods of sustained use and to render accurate service under varied conditions;

Now, therefore, in exercise of the powers conferred by Sub-sections (7) and (8) of Section 36 of the said Act, the Central Government hereby issues and publishes the certificate of approval of the Model of the self indicating non-automatic (Platform type) weighing instrument with digital indication of 'PWP' series of medium accuracy (Accuracy class-III), and with brand name "PURNIMA" (hereinafter referred to as the said Model), manufactured by M/s. Purnima & Company, Plot No. 15/B-17, Deep, Gorail, Borawali (W), Mumbai-400 092 and which is assigned the approval mark IND/09/06/112;

The said Model is strain gauge type load cell based weighing instrument with a maximum capacity of 1000 kg. and minimum capacity of 2 kg. The verification scale interval (e) is 100g. It has a tare device with 100 per cent subtractive retained tare effect. The Light Emitting Diode (LED) display indicates the weighing result. The instrument operates on 230 Volts and 50Hertz alternative current power supply.



In addition to sealing the stamping plate, sealing shall also be done to prevent the opening of the machine for fraudulent practices and Model shall not be changed in terms of its material, accuracy, design, circuit diagram, working principle, etc. before or after sale.

Further, in exercise of the powers conferred by Sub-section (12) of Section 36 of the said Act, Central Government hereby declares that this certificate of approval of the said Model shall also cover the weighing instrument of same series with maximum capacity above 50kg. and upto 5000 kg. and with number of verification scale interval (n) in the range of 500 to 10,000 for 'e' value of 5g. or more and with 'e' value of  $1 \times 10^k$ ,  $2 \times 10^k$  or  $5 \times 10^k$ , k being the positive or negative whole number or equal to zero manufactured by the same manufacturer with the same principle, design and with the same materials with which, the said approved Model has been manufactured.

[F. No. WM-21(152)/2005]

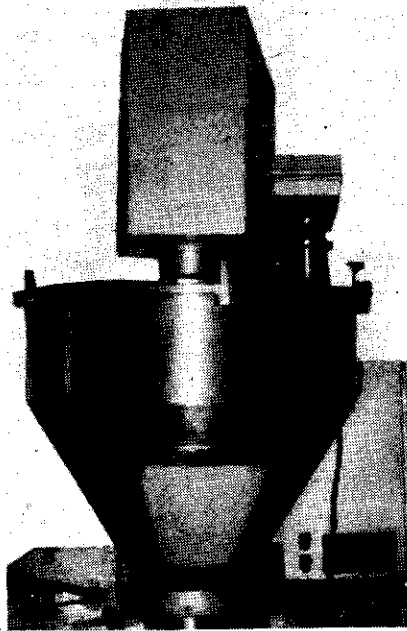
P. A. KRISHNA MOORTHY, Director of Legal Metrology

नई दिल्ली, 13 जून, 2006

का. आ. 2576.—केन्द्रीय सरकार का, विहित प्राधिकारी द्वारा उसे प्रस्तुत रिपोर्ट पर विचार करने के पश्चात् यह समाधान हो गया है कि उक्त रिपोर्ट में वर्णित मॉडल (नीचे दी गई आकृति देखें) बाट और माप मानक अधिनियम, 1976 (1976 का 60) तथा बाट और माप मानक (मॉडलों का अनुमोदन) नियम, 1987 के उपबंधों के अनुरूप है और इस बात की संभावना है कि लगातार प्रयोग की अवधि में भी उक्त मॉडल यथार्थता बनाए रखेगा और विभिन्न परिस्थितियों में उपयुक्त सेवा प्रदान करता रहेगा;

अतः, अब, केन्द्रीय सरकार, उक्त अधिनियम की धारा 36 की उप-धारा (7) और (8) द्वारा प्रदत्त शक्तियों का प्रयोग करते हुए मैसर्स इन्टरपैक मशीन्स प्रा.लि., सख्या 44/5, नव सहयाद्री सोसायटी, डाक खाने के पास, पुणे-411052 द्वारा विनिर्मित “वी ए एफ” श्रृंखला के स्वतः सूचक, स्वचालित ग्रेविमेट्रिक फिलिंग उपकरण (ओगर फिलर) के मॉडल का, जिसके ब्रांड का नाम “इन्टरपैक” है (जिसे इसमें इसके पश्चात् उक्त मॉडल कहा गया है) और जिसे अनुमोदन चिन्ह आई एन डी/09/2006/271 समनुदेशित किया गया है, अनुमोदन प्रमाण-पत्र जारी और प्रकाशित करती है।

उक्त मॉडल एक स्वचालित फिलिंग मशीन (ओगर फिलर) है। इसकी क्षमता 1000 ग्रा. से 100 किलो ग्रा. या उसके समान वोल्यूम की रेंज में है जो उत्पाद के प्रकार पर निर्भर करती है। इसका उत्पादन 6 से 40 भरण प्रति मिनट है (अधिकतम) जो भरे जाने वाले उत्पाद के विनिर्देशनों और मात्रा पर निर्भर करता है। उपकरण 230 वोल्ट और 50 हर्ट्ज प्रत्यावर्ती धारा विद्युत प्रदाय पर कार्य करता है। इसका प्रयोग नान-फ्री उत्पादों जैसे मिल्क पाउडर, कॉफी पाउडर, गेहूं का आटा, पिसे मसाले, भेषजिय पाउडर, दूध पाउडर, रसायनों आदि को भरने के लिए किया जाता है।



स्टाम्पिंग प्लेट को सील करने के अतिरिक्त मशीन को कपटपूर्ण व्यवहारों के लिए खोले जाने से रोकने के लिए सीलबन्द भी किया जाएगा।

और केन्द्रीय सरकार उक्त अधिनियम की धारा 36 की उप-धारा (12) द्वारा प्रदत्त शक्तियों का प्रयोग करते हुए यह घोषणा करती है कि उक्त मॉडल के अनुमोदन के इस प्रमाण-पत्र के अंतर्गत उसी विनिर्माता द्वारा उसी सिद्धांत, डिजाइन के अनुसार और उसी सामग्री से, जिससे उक्त अनुमोदित मॉडल का विनिर्माण किया गया है, 100 ग्राम से 10 किलो ग्राम की रेंज की क्षमता के साथ विनिर्मित उसी श्रृंखला के सभी मेश, यथार्थता और कार्यपालन के तोलन उपकरण भी होंगे।

[फा. सं. डब्ल्यू एम-21(335)/2005]

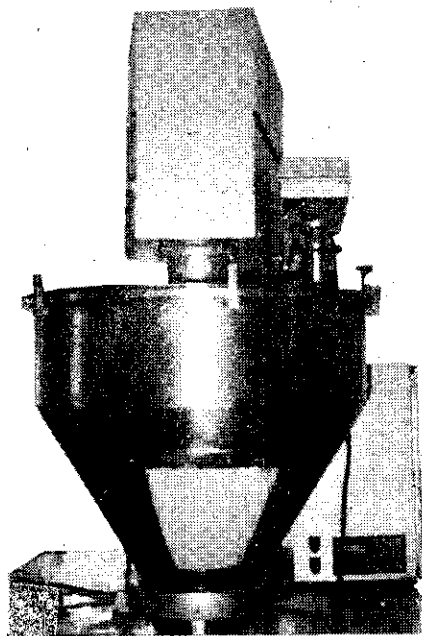
पी. ए. कृष्णामूर्ति, निदेशक, विधिक माप विज्ञान

New Delhi, the 13 June, 2006

**S.O. 2576.**—Whereas the Central Government, after considering the report submitted to it by the prescribed authority, is satisfied that the Model described in the said report (see the figure given below) is in conformity with the provisions of the Standards of Weights and Measures Act, 1976 (60 of 1976) and the Standards of Weights and Measures (Approval of Models) Rules, 1987 and the said Model is likely to maintain its accuracy over periods of sustained use and to render accurate service under varied conditions;

Now, therefore, in exercise of the powers conferred by sub-sections (7) and (8) of Section 36 of the said Act, the Central Government hereby issues and publishes the certificate of approval of the model of self indicating Automatic Gravimetric Filling Instrument (Auger Filler) of 'VAF' series with brand name "INTERPACK" herein referred to as the said Model), manufactured by M/s. Interpack Machines Pvt. Ltd., No. 44/5, hav Sahyadri Society, Near Post Office, Pune-411052, Maharastra and which is assigned the approval mark IND/09/06/271;

The said Model is an automatic filling machine (Auger filler) with a capacity in the range of 100 g. to 10 Kg. or equivalent volume depending up on the nature of product. Its out put is 6 to 40 fills per minute (max) depending up on the product specifications and quantity of the fills. It operate on 230 Volts and 50Hertz alternative current power supply. It is used for filling the non-free flowing products such as milk powder, Coffee powder, wheat flour, ground spices, pharmaceutical powder, tooth powder, chemicals etc.



In addition to sealing the stamping plate, sealing shall also be done to prevent the opening of the machine for fraudulent practices.

Further, in exercise of the powers conferred by sub-section (12) of Section 36 of the said Act, the Central Government hereby declares that this certificate of approval of the said Model shall also cover the filling machines of similar make, accuracy and performance of same series with capacity in the range of 100 g. to 10 kg. manufactured by the same manufacturer in accordance with the same principle, design and with the same materials with which the said approved model has been manufactured.

[F. No. WM-21(335)/2005]

P. A. KRISHNAMOORTHY, Director of Legal Metrology

नई दिल्ली, 13 जून, 2006

का. आ. 2577.—केंद्रीय सरकार का, साइकैलिश तकनीशे बुडेसटेंट (पीटीबी) जर्मनी जो इस प्रयोजनार्थ एक अधिसूचित निकाय है द्वारा पैटन मूल्यांकन रिपोर्ट तथा अनुमोदित जांच परिणामों के साथ उसे प्रस्तुत रिपोर्ट पर विचार करने के पश्चात् यह समाधान हो गया है कि उक्त रिपोर्ट में वर्णित मॉडल (नीचे दी गई आकृति देखें) बाट और माप मानक अधिनियम, 1976 (1976 का 60) तथा बाट और माप मानक (मॉडलों का अनुमोदन) नियम, 1987 के उपबंधों के अनुरूप है और इस बात की संभावना है कि लगातार प्रयोग की अवधि में भी उक्त मॉडल यथार्थता बनाए रखेगा और विभिन्न परिस्थितियों में उपयुक्त सेवा प्रदान करता रहेगा;

अतः, अब, केंद्रीय सरकार, उक्त अधिनियम की धारा 36 की उप-धारा (7) और (8) द्वारा प्रदत्त शक्तियों का प्रयोग करते हुए मैसर्स डैनियल डिवीजन हैडक्वार्टर्स यू एस ए टोल फ्री 1-888 फ्लो-001, हाउस्टन टेक्सास, यू एस ए द्वारा निर्मित और जिसे भारत में मैसर्स डैनियल मेजरमेंट एंड कंट्रोल (इंडिया) प्रा. लिमिटेड, चौथा तल, राजीव टावर, ओल्ड पाडरा रोड वडोदरा-290020 गुजरात द्वारा बेचा जा रहा है, के काम्पेट (पानी से इतर तरल पदार्थों के मीटर) के मॉडल का, जिसके ब्रांड का नाम "काम्पेट प्रोवर" है (जिसे इसमें इसके पश्चात् उक्त मॉडल कहा गया है) और जिसे अनुमोदन चिह्न आई एन डी/13/2005/980 समनुदेशित किया गया है, अनुमोदन प्रमाण-पत्र जारी और प्रकाशित करती है।



उक्त मॉडल एक काम्पेट प्रोवर (पानी से इतर तरल पदार्थों के हेतु मीटर) का एक मॉडल है जिसमें कंजैक्शन में इंटरनल प्लेट के सा पिस्टन असेम्बली, आप्टिकल पोजीशन सेंसिंग, हाइड्रालिक पिस्टन रिटर्न और वातीय पिस्टन प्रेरक लगे हुए हैं। आप्टिकल स्विचों का उपयोग पिस्टन की स्थिति को निर्धारण द्वारा प्रमाणित मात्रा के आकलन हेतु किया जाता है। मीटर का उपयोग कई प्रकार के तरल पदार्थ जैसे पानी, पेट्रोल, तेल तथा तरलीकृत पेट्रोलियम गैस (एल पी जी) की जांच हेतु किया जाता है।

मॉडल की तकनीकी विशेषताएं निम्न प्रकार हैं—

प्रवाह की अधिकतम गति	26500 लीटर/प्रति मिनट
प्रवाह की न्यूनतम गति	26.5 लीटर/प्रति मिनट
निष्पादन दबाव रेंज	5 एम पी ए
अधिकतम तरल तापमान	+ 38 सेंटीग्रेड
न्यूनतम तापमान	- 30 सेंटीग्रेड
वोल्टेज	220/380 V
अधिकतम आवृत्ति	10,000 हर्ट्ज

स्टाम्पिंग प्लेट के मुद्रांकन के अतिरिक्त मशीन को कपटपूर्ण व्यवहारों के लिए खोलने से रोकने के लिए सीलबन्ध भी किया जाएगा।

[फा. सं. डब्ल्यू एम-21(216)/2003]

पी. ए. कृष्णामूर्ति, निदेशक, विधिक माप विज्ञान

New Delhi, the 13 June, 2006

**S.O. 2577.**—Whereas the Central Government, after considering the report submitted to it along with the pattern evaluation report and test result granted an approved by the prescribed authority a notified body for the purpose in the Physikalisch Technische Bundesanstalt (PTB) Germany is satisfied that the model described in the said report (see the figure given below) is in conformity with the provision of the Standard of Weights and Measures Act, 1976 (60 of 1976) and the Standards of Weights and Measures (Approval of Models) Rules, 1987 and the said model is likely to maintain its accuracy over period of sustained use and to render accurate service under varied conditions.

Now, therefore, in exercise of the powers conferred by the third proviso to sub-section (3) and sub-sections (7) and (8) of Section 36 of the said Act, the Central Government hereby approves issues and publishes the certificate of approval of model of Compact Prover (Meters for liquids—other than water) with trade name “Compact Prover” (herein after referred to as the model) manufactured by M/s. Daniel division headquarters USA toll free 1-888-FLOW-001, Houston Texas, USA and marketed in India by M/s. Dainel Measurement and Control (India) Private Limited, 4th Floor, Rajiv Tower, Old Padra Road, Vadodra-390020 Gujarat and which is assigned the approval mark IND/13/05/680



The said model is a Compact Prover (Meters for liquids—other than water) consisting of piston assembly with internal poppet valve in conjunction with optical position sensing, hydraulic piston return and pneumatic piston actuation. The optical switches are used for defining prover volume by detecting the piston position. Meters for lot of different liquids can be tested for example water, petrol, oil and liquefied petroleum gas (LPG) Other technical details are as follows :

Maximum flow rate	26500 litre/minute
Minimum flow rate	26.5 litre/minute
Maximum Pressure	5MPa
Maximum liquid temperature	+ 38°C
Maximum Temperature	30°C
Voltage 220/380V	
Maximum Frequency	10,000Hz.

In Addition to sealing the stamping plate, sealing shall also be done to prevent from opening of the machine for fraudulent practices.

[F. No. WM-21(216)/2003]

P. A. KRISHNAMOORTHY, Director of Legal Metrology

नई दिल्ली, 13 जून, 2006

का. आ. 2578.—केन्द्रीय सरकार का, विहित प्राधिकारी द्वारा उसे प्रस्तुत रिपोर्ट पर विचार करने के पश्चात् यह समाधान हो गया है कि उक्त रिपोर्ट में वर्णित मॉडल (नीचे दी गई आकृति देखें) बाट और माप मानक अधिनियम, 1976 (1976 का 60) तथा बाट और माप मानक (मॉडलों का अनुमोदन) नियम, 1987 के उपबंधों के अनुरूप है और इस बात की संभावना है कि लगतार प्रयोग की अवधि में भी उक्त मॉडल यथार्थता बनाए रखेगा और विभिन्न परिस्थितियों में उपयुक्त सेवा प्रदान करता रहेगा;

अतः, अब, केन्द्रीय सरकार, उक्त अधिनियम की धारा 36 की उप-धारा (7) और (8) द्वारा प्रदत्त शक्तियों का प्रयोग करते हुए मैसर्स मिडको लिमिटेड, प्लॉट नं 39/44, स्कीम -6, रोड-2, सिओन (ई) मुंबई-400022, महाराष्ट्र द्वारा निर्मित "एम ई बी 222" शृंखला के अंकक सूचन सहित डिस्पेंसिंग पंप के मॉडल का, जिसके ब्रांड का नाम "मिडको" है (जिसे इसमें उक्त मॉडल कहा गया है) और जिसे अनुमोदन चिह्न आई एन डी/09/05/594 समनुदेशित किया गया है, अनुमोदन प्रमाण-पत्र जारी और प्रकाशित करती है।



उक्त मॉडल बहुउत्पादीय वितरण पंप है जो द्विपिस्टन धनात्मक विस्थापन मीटर सहित अविपरीतमक योग करने वाला है। इसकी अधिकतम प्रवाह क्षमता 75 लीटर प्रति मिनट है। यह धन और आयतन के लिए पूर्व सेट युक्ति है। द्रव क्रिस्टल प्रदर्श तोलन (एल सी डी) प्रदर्श उपदर्शित करता है। इसका अधिकतम आयतन और मूल्य प्रदर्श 6 अंकों में है और लघुतम प्रदर्श 10 मि.ली. है। उपकरण 230 वोल्ट और 50 हर्ट्ज प्रत्यावर्ती धारा विद्युत प्रदाय पर कार्य करता है।

स्टाम्पिंग प्लेट को मुद्रांकित करने के अतिरिक्त कपटपूर्ण व्यवहारों के लिए मशीन को खोलने से रोकने के लिए सीलबन्द भी किया जाएगा।

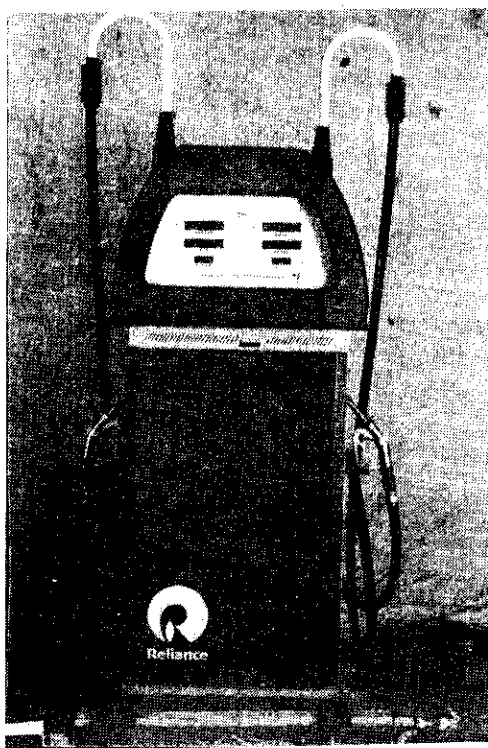
[फा. सं. डब्ल्यू एम-21(262)/2003]

पी. ए. कृष्णामूर्ति, निदेशक, विधिक माप विज्ञान

New Delhi, the 13 June, 2006

**S.O. 2578.**—Whereas the Central Government, after considering the report submitted to it by the prescribed authority, is satisfied that the Model described in the said report (see the figure given below) is in conformity with the provisions of the Standards of Weights and Measures Act, 1976 (60 of 1976) and the Standards of Weights and Measures (Approval of Model) Rules, 1987 and the said Model is likely to maintain its accuracy over periods of sustained use and to render accurate service under varied conditions;

Now, therefore, in exercise of the powers conferred by sub-sections (7) and (8) of Section 36 of the said Act, the Central Government hereby issues and publishes the certificate of approval of the Model of Dispensing Pump with digital indication of “MEB 222” series with brand name “MIDCO” (hereinafter referred to as the said model), manufactured by M/s. Midco Limited, Plot No. 39/44, Scheme-6, Road-2, Sion (E) Mumbai-400 022, Maharashtra and which is assigned the approval mark IND/09/05/594;



The said model is a dispensing pump with two piston type positive displacement meter along with non-reversible totalizer. The maximum flow rate is 75 litre per minute. It has preset device for money and volume. The display is of Liquid Crystal Display (LCD) type. The maximum volume and price display is in 6 digits and the smallest display is 10 ml. The instrument operates on 230 V 50 Hertz alternate current power supply. In addition to sealing the stamping plate, sealing shall also be done on the Metering unit and totalizer to prevent from opening of the machine for fraudulent practices.

[F. No. WM-21(262)/2003]

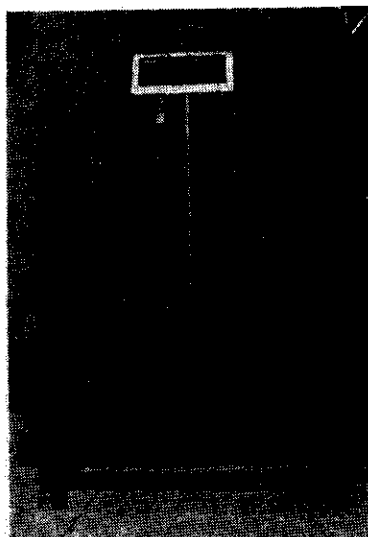
P. A. KRISHNAMOORTHY, Director of Legal Metrology

नई दिल्ली, 14 जून, 2006

का.आ. 2579.—केंद्रीय सरकार का, विहित प्राधिकारी द्वारा उसे प्रस्तुत रिपोर्ट पर विचार करने के पश्चात् यह समाधान हो गया है कि उक्त रिपोर्ट में वर्णित मॉडल (नीचे दी गई आकृति देखें) बाट और माप मानक अधिनियम, 1976 (1976 का 60) तथा बाट और माप मानक (मॉडलों का अनुमोदन) नियम, 1987 के उपबंधों के अनुरूप है और इस बात की संभावना है कि लगातार प्रयोग की अवधि में भी उक्त मॉडल यथार्थता बनाए रखेगा और विभिन्न परिस्थितियों में उपयुक्त सेवा प्रदान करता रहेगा;

अतः अब केंद्रीय सरकार, उक्त अधिनियम की धारा 36 की उप-धारा (7) और (8) द्वारा प्रदत्त शक्तियों का प्रयोग करते हुए, मैसर्स बी. एल. पी. इन्डस्ट्रीज, नं. 8, बीजी काम्पलेक्स, परियार नगर, इरोड-638001 द्वारा निर्मित मध्यम यथार्थता (यथार्थता वर्ग-III) वाले “बी आई पी” शृंखला के अंकक सूचन सहित, अस्वचालित, तोलन उपकरण (प्लेटफार्म प्रकार) के मॉडल का, जिसके ब्रांड का नाम “बायोनिक्” है (जिसे इसमें इसके पश्चात् उक्त मॉडल कहा गया है) और जिसे अनुमोदन चिन्ह आई एन डी/09/06/323 समनुदेशित किया गया है, अनुमोदन प्रमाण पत्र जारी और प्रकाशित करती है।

उक्त मॉडल विकृति गेज प्रकार का भार सेल आधारित अस्वचालित (प्लेटफार्म प्रकार) तोलन उपकरण है। इसकी अधिकतम क्षमता 1000 कि. ग्रा. और न्यूनतम क्षमता 4 कि. ग्रा. है। सत्यापन मापमान अन्तराल (ई) का मान 200 ग्रा. है। इसमें एक आधेयतुलन युक्ति है जिसका शत प्रतिशत व्यवकलनात्मक धारित आधेयतुलन प्रभाव है। प्रकाश उत्सर्जक डायोड (एल ई डी) प्रदर्श परिणाम उपदर्शित करता है। उपकरण 230 वोल्ट, 50 हर्ट्ज प्रत्यावर्ती धारा विद्युत प्रदाय पर कार्य करता है।



स्टाम्पिंग प्लेट के मुद्रांकन के अतिरिक्त मशीन को कपटपूर्ण व्यवहारों के लिए खोलने से रोकने के लिए सीलबन्द भी किया जाएगा और मॉडल को उसकी सामग्री, यथार्थता, डिजाइन, सर्किट डायग्राम, कार्य निष्पादन सिद्धान्त आदि की शर्तों पर बेचने से पहले या बाद में कोई परिवर्तन नहीं किया जाएगा।

और, केंद्रीय सरकार, उक्त अधिनियम की धारा 36 की उप-धारा (12) द्वारा प्रदत्त शक्तियों का प्रयोग करते हुए यह घोषणा करती है कि उक्त मॉडल के अनुमोदन के इस प्रमाण पत्र के अंतर्गत उसी विनिर्माता द्वारा उसी सिद्धान्त, डिजाइन के अनुसार और उसी सामग्री से जिससे अनुमोदित मॉडल का निर्माण किया गया है, विनिर्मित उसी शृंखला के वैसे ही मेक, यथार्थता और कार्यपालन के तोलन उपकरण भी होंगे जो 5 ग्रा. या उससे अधिक के “ई” मान के लिए 500 से 10,000 तक की रेंज में सत्यापन मान अंतराल (एन) सहित 50 कि.ग्रा. से 5000 कि. ग्रा. तक की अधिकतम क्षमता वाले हैं और “ई” मान  $1 \times 10^*$ ,  $2 \times 10^*$  या  $5 \times 10^*$ , के हैं, जो धनात्मक या ऋणात्मक पूर्णांक या शून्य के समतुल्य है।

[फा. सं. डब्ल्यू एम-21(89)/2006]

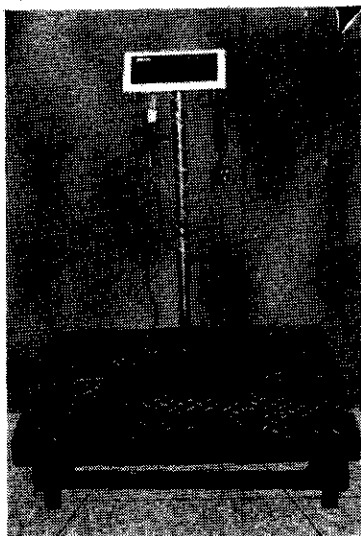
पी. ए. कृष्णामूर्ति, निदेशक, विधिक माप विज्ञान

New Delhi, the 14th June, 2006

**S.O. 2579.**—Whereas the Central Government, after considering the report submitted to it by the prescribed authority, is satisfied that the model described in the said report (see the figure given below) is in conformity with the provisions of the Standards of Weights and Measures Act, 1976 (60 of 1976) and the Standards of Weights and Measures (Approval of Models) Rules, 1987 and the said model is likely to maintain its accuracy over periods of sustained use and to render accurate service under varied conditions;

Now, therefore, in exercise of the powers conferred by Sub-sections (7) and (8) of Section 36 of the said Act, the Central Government hereby issues and publishes the certificate of approval of the model of non-automatic weighing instrument (Platform type) with digital indication of “BIP” series of medium accuracy (accuracy class-III) and with brand name “BIONIC” (herein referred to as the said model), manufactured by M/s. V.L.P. Industries, No. 8, Viji Complex, Periyar Nagar, Erode-638 001, Tamil Nadu and which is assigned the approval mark IND/09/06/323.

The said model (see the figure given below) is a strain gauge type load cell based weighing instrument with a maximum capacity of 1000 kg. and minimum capacity of 4. kg. The verification scale interval (e) is 200g. It has a tare device with a 100 per cent subtractive retained tare effect. The Light Emitting Diode (LED) display indicates the weighing results. The instrument operates on 230 Volts, 50 Hertz alternate current power supply.



In addition to sealing the stamping plate, sealing shall also be done to prevent the opening of the machine for fraudulent practices and model shall not be changed in terms of its material, accuracy, design, circuit diagram, working the number of principle, etc. before or after the sale.

Further, in exercise of the powers conferred by Sub-section (12) of Section 36 of the said Act, the Central Government hereby declares that this certificate of approval of the said model shall also cover the weighing instruments of similar make, and performance of same series with maximum capacity above 50 kg. and up to 5000 kg. with verification scale interval (n) in the range of 500 to 10,000 for ‘e’ value of 5g. or more and with ‘e’ value of  $1 \times 10^k$ ,  $2 \times 10^k$  or  $5 \times 10^k$ , k being is a positive or negative whole number or equal to zero manufactured by the same manufacturer in accordance with the same principle, design and with the same materials with which, the said approved model has been manufactured.

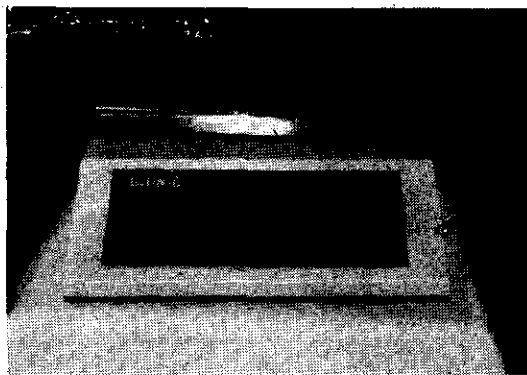
[F. No. WM-21(89)/2006]

P. A. KRISHNAMOORTHY, Director of Legal Metrology

नई दिल्ली, 14 जून, 2006

**का. आ. 2580.**—केन्द्रीय सरकार का, विहित प्राधिकारी द्वारा उसे प्रस्तुत रिपोर्ट पर विचार करने के पश्चात् यह समाधान हो गया है कि उक्त रिपोर्ट में वर्णित मॉडल (नीचे दी गई आकृति देखें) बाट और माप मानक अधिनियम, 1976 (1976 का 60) तथा बाट और माप मानक (मॉडलों का अनुमोदन) नियम, 1987 के उपबंधों के अनुरूप है और इस बात की संभावना है कि लगातार प्रयोग की अवधि में भी उक्त मॉडल यथार्थता बनाए रखेगा और विभिन्न परिस्थितियों में उपयुक्त सेवा प्रदान करता रहेगा;

अतः, अब, केन्द्रीय सरकार, उक्त अधिनियम की धारा 36 की उप-धारा (7) और (8) द्वारा प्रदत्त शक्तियों का प्रयोग करते हुए, मैसर्स वी. एल. पी. इन्डस्ट्रीज, नं. 8, बीजी काम्पलेक्स, परियार नगर, इरोड-638001, द्वारा निर्मित उच्च यथार्थता (यथार्थता वर्ग-II) वाले “बी आई पी” शृंखला के अंकक सूचन सहित, अस्वचालित, तोलन उपकरण (टेबल टॉप प्रकार) के मॉडल का, जिसके ब्रांड का नाम “बायोनिक” है (जिसे इसमें इसके पश्चात् उक्त मॉडल कहा गया है) और जिसे अनुमोदन चिन्ह आई एन डी/09/06/322 समनुदेशित किया गया है, अनुमोदन प्रमाण पत्र जारी और प्रकाशित करती है;



उक्त मॉडल एक विकृति गेज प्रकार का भार सेल आधारित अस्वचालित (टेबल टॉप प्रकार) तोलन उपकरण है। इसकी अधिकतम क्षमता 24 कि.ग्रा. और न्यूनतम क्षमता 100 ग्रा. है। सत्यापन मापमान अंतराल (ई) का मान 2 ग्रा. है। इसमें एक आधेयतुलन युक्ति है जिसका शत प्रतिशत व्यवकलनात्मक धारित आधेयतुलन प्रभाव है। प्रकाश उत्सर्जक डायोड (एल ई डी) प्रदर्श परिणाम उपदर्शित करता है। उपकरण 230 वोल्ट, 50 हर्ट्ज प्रत्यावर्ती धारा विद्युत प्रदाय पर कार्य करता है।

स्टाम्पिंग प्लेट के मुद्रांकन के अतिरिक्त मशीन को कपटपूर्ण व्यवहारों के लिए रोकने से रोकने के लिए सीलब्रन्द भी किया जाएगा और मॉडल को उसकी सामग्री, यथार्थता, डिजाइन, सर्किट डायग्राम, कार्य निष्पादन सिद्धान्त आदि की शर्तों पर बेचने से पहले या बाद में परिवर्तन नहीं किया जाएगा।

और, केन्द्रीय सरकार, उक्त अधिनियम की धारा 36 की उप-धारा (12) द्वारा प्रदत्त शक्तियों का प्रयोग करते हुए, यह घोषणा करती है कि उक्त मॉडल के अनुमोदन के इस प्रमाण पत्र के अंतर्गत उसी विनिर्माता द्वारा उसी सिद्धान्त, डिजाइन के अनुसार और उसी सामग्री से जिससे अनुमोदित मॉडल का निर्माण किया गया है, विनिर्मित उसी शृंखला के वैसे ही मेक, यथार्थता और कार्यपालन के तोलन उपकरण भी होंगे जो 1 मि. ग्रा. से 50 मि. ग्रा. तक “ई” मान के लिए 100 से 50,000 तक की रेंज में सत्यापन मापमान अंतराल (एन) और 100 मि. ग्रा. या उससे अधिक के “ई” मान के लिए 5,000 से 50,000 तक की रेंज में मापमान (एन) अंतराल सहित 50 कि. ग्रा. तक की अधिकतम क्षमता वाले हैं और “ई” मान  $1 \times 10^{-3}$ ,  $2 \times 10^{-3}$  या  $5 \times 10^{-3}$  के हैं, जो धनात्मक या ऋणात्मक पूर्णांक या शून्य के समतुल्य हैं।

[फा. सं. डब्ल्यू एम-21(89)/2006]

पी. ए. कृष्णामूर्ति, निदेशक, विधिक माप विज्ञान

New Delhi, the 14th June, 2006

**S.O. 2580.**—Whereas the Central Government, after considering the report submitted to it by the prescribed authority, is satisfied that the model described in the said report (see the figure given below) is in conformity with the provisions of the Standards of Weights and Measures Act, 1976 (60 of 1976) and the Standards of Weights and Measures (Approval of Models) Rules, 1987 and the said model is likely to maintain its accuracy over periods of sustained use and to render accurate service under varied conditions;

Now, therefore, in exercise of the powers conferred by Sub-sections (7) and (8) of Section 36 of the said Act, the Central Government hereby issues and publishes the certificate of approval of the model of non-automatic weighing instrument (Table type) with digital indication of "BIT" series of high accuracy (accuracy class-II) and with brand name "BIONIC" (herein referred to as the said model), manufactured by M/s. V.L.P. Industries, No. 8, Viji Complex, Periyar Nagar, Erode-638 001, Tamil Nadu and which is assigned the approval mark IND/09/06/322;



The said model (see the figure given below) is a strain gauge type load cell based weighing instrument with a maximum capacity of 24kg. and minimum capacity of 100g. The verification scale interval (e) is 2g. It has a tare device with a 100 per cent subtractive retained tare effect. The Light Emitting Diode (LED) display indicates the weighing results. The instrument operates on 230 Volts and 50 Hertz alternate current power supply.

In addition to sealing the stamping plate, sealing shall also be done to prevent the opening of the machine for fraudulent practices and model shall not be changed in terms of its material, accuracy, design, circuit diagram, working principle, etc. before or after the sale.

Further, in exercise of the powers conferred by Sub-section (12) of Section 36 of the said Act, the Central Government hereby declares that this certificate of approval of the said model shall also cover the weighing instruments of similar make, and performance of same series with maximum capacity up to 50 kg. and number of verification scale interval (n) in the range of 100 to 50,000 for 'e' value of 1mg. to 50mg. and with verification scale interval (n) in the range of 5,000 to 50,000 for 'e' value of 100mg. or more and 'e' value of the form  $1 \times 10^k$ ,  $2 \times 10^k$  or  $5 \times 10^k$ , k being a positive or negative whole number or equal to zero manufactured by the same manufacturer in accordance with the same principle, design and with the same materials with which, the said approved model has been manufactured.

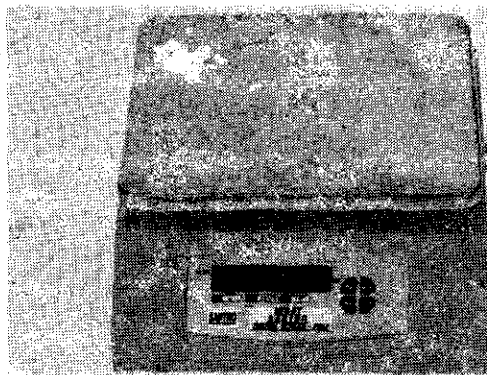
[F. No. WM-21(89)/2006]

P. A. KRISHNAMOORTHY, Director of Legal Metrology

नई दिल्ली, 14 जून, 2006

का. आ. 2581.—केन्द्रीय सरकार का, विहित प्राधिकारी द्वारा उसे प्रस्तुत रिपोर्ट पर विचार करने के पश्चात् यह समाधान हो गया है कि उक्त रिपोर्ट में वर्णित मॉडल (नीचे दी गई आकृति देखें) बाट और माप मानक अधिनियम, 1976 (1976 का 60) तथा बाट और माप मानक (मॉडलों का अनुमोदन) नियम, 1987 के उपबंधों के अनुरूप है और इस बात की संभावना है कि लगातार प्रयोग की अवधि में भी उक्त मॉडल यथार्थता बनाए रखेगा और विभिन्न परिस्थितियों में उपयुक्त सेवा प्रदान करता रहेगा;

अतः, अब, केन्द्रीय सरकार, उक्त अधिनियम की धारा 36 की उपधारा (7) और (8) द्वारा प्रदत्त शक्तियों का प्रयोग करते हुए, मैसर्स सेन्ट्रो डिजिटल स्केल्स, 1-डी-35, न्यू हाउसिंग बोर्ड, पाली, राजस्थान, द्वारा निर्मित उच्च यथार्थता वर्ग (यथार्थता वर्ग-II) वाले “एस डी एस-101” शृंखला के अंकक सूचन सहित, अस्वचालित तोलन उपकरण (टेबल टॉप प्रकार) के मॉडल का, जिसके ब्रांड का नाम “सेन्ट्रो” है (जिसे इसमें इसके पश्चात् उक्त मॉडल कहा गया है) और जिसे अनुमोदन चिन्ह आई एन डी/09/06/326 समनुदेशित किया गया है, अनुमोदन प्रमाण-पत्र जारी और प्रकाशित करती है।



उक्त मॉडल विकृति गेज प्रकार का भार सेल आधारित अस्वचालित (टेबल टॉप प्रकार) तोलन उपकरण है। इसकी अधिकतम क्षमता 11 कि. ग्रा. और न्यूनतम क्षमता 50 ग्रा. है। सत्यापन मापमान अन्तराल (ई) का मान 1 ग्रा. है। इसमें एक आधेयतुलन युक्ति है जिसका शत प्रतिशत व्यवकलनात्मक धारित आधेयतुलन प्रभाव है। प्रकाश उत्सर्जक डायोड (एल ई डी) प्रदर्श परिणाम उपदर्शित करता है। उपकरण 230 वोल्ट, 50 हर्ट्ज प्रत्यावर्ती धारा विद्युत प्रदाय पर कार्य करता है।

स्टाम्पिंग प्लेट के मुद्रांकन के अतिरिक्त मशीन को कपटपूर्ण व्यवहारों के लिए खोलने से रोकने के लिए सीलबन्द भी किया जायेगा और मॉडल को उसकी सामग्री, यथार्थता, डिजाइन, सर्किट डायग्राम, कार्य निष्पादन सिद्धान्त आदि की शर्तों पर बेचने से पहले या बाद में कोई परिवर्तन नहीं किया जाएगा।

और, केन्द्रीय सरकार, उक्त अधिनियम की धारा 36 की उपधारा (12) द्वारा प्रदत्त शक्तियों का प्रयोग करते हुए, यह घोषणा करती है कि उक्त मॉडल के अनुमोदन के इस प्रमाण-पत्र के अंतर्गत उसी विनिर्माता द्वारा उसी सिद्धांत, डिजाइन के अनुसार और उसी सामग्री से जिससे अनुमोदित मॉडल का निर्माण किया गया है विनिर्मित उसी शृंखला के वैसे ही मेक, यथार्थता और कार्यपालन के तोलन उपकरण भी होंगे जो 1 मि.ग्रा. से 50 मि. ग्रा. तक “ई” मान के लिए 100 से 50,000 तक की रेंज में सत्यापन मापमान अन्तराल (एन) और 100 मि. ग्रा. या उससे अधिक के “ई” मान के लिए 5,000 से 50,000 तक की रेंज में मापमान (एन) अन्तराल सहित 50 कि. ग्रा. तक की अधिकतम क्षमता वाले हैं और “ई” मान  $1 \times 10^{-6}$ ,  $2 \times 10^{-6}$  या  $5 \times 10^{-6}$ , के हैं, जो धनात्मक या ऋणात्मक पूर्णांक या शून्य के समतुल्य हैं।

[फा. सं. डब्ल्यू एम-21(63)/2006]

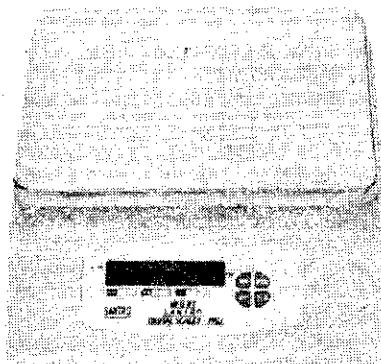
पी. ए. कृष्णामूर्ति, निदेशक, विधिक माप विज्ञान

New Delhi, the 14th June, 2006

**S.O. 2581.**—Whereas the Central Government, after considering the report submitted to it by the prescribed authority, is satisfied that the model described in the said report (see the figure given below) is in conformity with the provisions of the Standards of Weights and Measures Act, 1976 (60 of 1976) and the Standards of Weights and Measures (Approval of Models) Rules, 1987 and the said Model is likely to maintain its accuracy over periods of sustained use and to render accurate service under varied conditions;

Now, therefore, in exercise of the powers conferred by Sub-sections (7) and (8) of Section 36 of the said Act, the Central Government hereby issues and publishes the certificate of approval of the model of non-automatic weighing instrument (Table top type) with digital indication of “SDS-101” series of high accuracy class (accuracy class-II) and with brand name “SANTRO” (herein referred to as the said Model), manufactured by M/s. Santro Digital Scales, I-D-35, New Housing Board, Pali, Rajasthan and which is assigned the approval mark IND/09/06/326;

The said Model (see the figure given below) is a strain gauge type load cell based weighing instrument with a maximum capacity of 1 kg. and minimum capacity of 50g. The verification scale interval (e) is 1g. It has a tare device with a 100 per cent subtractive retained tare effect. The Light Emitting Diode (LED) display indicates the weighing result. The instrument operates on 230 Volts and 50-Hertz alternate current power supply.



In addition to sealing the stamping plate, sealing shall also be done to prevent the opening of the machine for fraudulent practices and model shall not be changed in terms of its material, accuracy, design, circuit diagram, working principle, etc. before or after sale.

Further, in exercise of the powers conferred by sub-section (12) of the Section 36 of the said Act, the Central Government hereby declares that this certificate of approval of the said Model shall also cover the weighing instruments of similar make and performance of same series with maximum capacity up to 50kg. and with number of verification scale interval (n) in the range of 100 to 50,000 for ‘e’ value of 1mg. to 500mg. and with verification scale interval (n) in the range of 5,000 to 50,000 for ‘e’ value of 1000mg. or more and ‘e’ value of the form  $1 \times 10^k$ ,  $2 \times 10^k$  or  $5 \times 10^k$ , where k is a positive or negative whole number or equal to zero manufactured by the same manufacturer in accordance with the same principle, design and with the same materials with which, the said approved model has been manufactured.

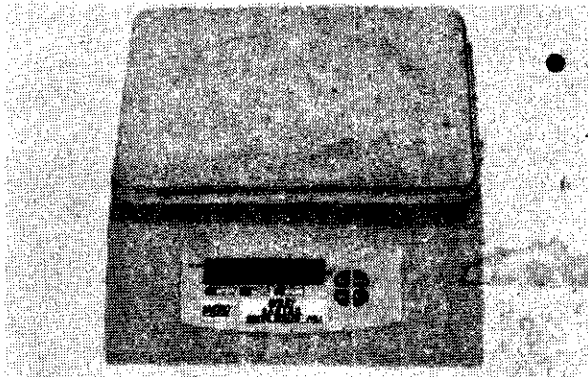
[F. No. WM-21(63)/2006]

P. A. KRISHNAMOORTHY, Director of Legal Metrology

नई दिल्ली, 14 जून, 2006

का. आ. 2582.—केन्द्रीय सरकार का, विहित प्राधिकारी द्वारा उसे प्रस्तुत रिपोर्ट पर विचार करने के पश्चात् यह समाधान हो गया है कि उक्त रिपोर्ट में वर्णित मॉडल (नीचे दी गई आकृति देखें) बाट और माप मानक अधिनियम, 1976 (1976 का 60) तथा बाट और माप मानक (मॉडलों का अनुमोदन) नियम, 1987 के उपबंधों के अनुरूप है और इस बात की संभावना है कि लगातार प्रयोग की अवधि में भी उक्त मॉडल यथार्थता बनाए रखेगा और विभिन्न परिस्थितियों में उपयुक्त सेवा प्रदान करता रहेगा;

अतः, अब, केन्द्रीय सरकार, उक्त अधिनियम की धारा 36 की उप-धारा (7) और (8) द्वारा प्रदत्त शक्तियों का प्रयोग करते हुए, मैसर्स सेन्ट्रो डिजीटल स्केल्स, 1-डी-35, न्यू हाउसिंग बोर्ड, पाली, राजस्थान, द्वारा निर्मित मध्यम यथार्थता (यथार्थता वर्ग-III) वाले “एस डी एस-103” शृंखला के अंकक सूचन सहित अस्वचालित तोलन उपकरण (टेबल टॉप प्रकार) के मॉडल का, जिसके ब्रांड का नाम “सेन्ट्रो” है (जिसे इसमें इसके पश्चात् उक्त मॉडल कहा गया है) और जिसे अनुमोदन चिन्ह आई एन डी/09/06/327 समनुदेशित किया गया है, अनुमोदन प्रमाण-पत्र जारी और प्रकाशित करती है।



उक्त मॉडल विकृति गेज प्रकार का भार सेल आधारित अस्वचालित (टेबल टॉप प्रकार) तोलन उपकरण है। इसकी अधिकतम क्षमता 30 कि. ग्रा. और न्यूनतम क्षमता 100 ग्रा. है। सत्यापन मापमान अन्तराल (ई) का मान 5 ग्रा. है। इसमें एक आधेयतुलन युक्ति है जिसका शत प्रतिशत व्यवकलनात्मक धारित आधेयतुलन प्रभाव है। प्रकाश उत्सर्जक डायोड (एल ई डी) प्रदर्श परिणाम उपदर्शित करता है। उपकरण 230 वोल्ट, 50 हर्ट्ज प्रत्यावर्ती धारा विद्युत प्रदाय पर कार्य करता है।

स्टांपिंग प्लेट के मुद्रांकन के अतिरिक्त मशीन को कपटपूर्ण व्यवहारों के लिए खोलने से रोकने के लिए सीलबन्द भी किया जायेगा और मॉडल को उसकी सामग्री, यथार्थता, डिजाइन, सर्किट डायग्राम, कार्य निष्पादन सिद्धान्त आदि की शर्तों पर बेचने से पहले या बाद में कोई परिवर्तन नहीं किया जाएगा।

और, केन्द्रीय सरकार, उक्त अधिनियम की धारा 36 की उप-धारा (12) द्वारा प्रदत्त शक्तियों का प्रयोग करते हुए, यह घोषणा करती है कि उक्त मॉडल के अनुमोदन के इस प्रमाण-पत्र के अंतर्गत उसी विनिर्माता द्वारा उसी सिद्धान्त, डिजाइन के अनुसार और उसी सामग्री से जिससे अनुमोदित मॉडल का निर्माण किया गया है विनिर्मित उसी शृंखला के वैसे ही मेक, यथार्थता और कार्यपालन के तोलन उपकरण भी होंगे जो 100 मि.ग्रा. से 2 ग्रा. तक “ई” मान के लिए 100 से 10,000 तक की रेंज में सत्यापन मापमान अन्तराल (एन) और 5 ग्रा. या उससे अधिक के “ई” मान के लिए 500 से 10,000 तक की रेंज में मापमान (एन) अन्तराल सहित 50 कि. ग्रा. तक की अधिकतम क्षमता वाले हैं और “ई” मान  $1 \times 10^*$ ,  $2 \times 10^*$  या  $5 \times 10^*$ , के हैं, जो धनात्मक या ऋणात्मक पूर्णांक या शून्य के समतुल्य हैं।

[फा. सं. डब्ल्यू एम-21(63)/2006]

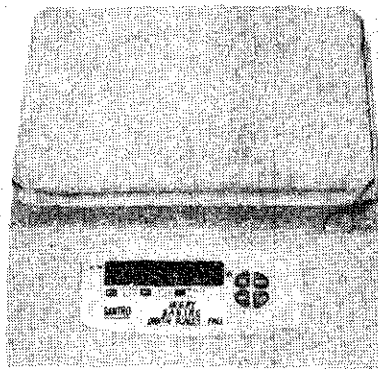
पी. ए. कृष्णामूर्ति, निदेशक, विधिक माप विज्ञान

New Delhi, the 14th June, 2006

**S.O. 2582.**—Whereas the Central Government, after considering the report submitted to it by the prescribed authority, is satisfied that the model described in the said report (see the figure given below) is in conformity with the provisions of the Standards of Weights and Measures Act, 1976 (60 of 1976) and the Standards of Weights and Measures (Approval of Models) Rules, 1987 and the said model is likely to maintain its accuracy over periods of sustained use and to render accurate service under varied conditions;

Now, therefore, in exercise of the powers conferred by Sub-sections (7) and (8) of Section 36 of the said Act, the Central Government hereby issues and publishes the certificate of approval of the model of non-automatic weighing instrument (Table top type) with digital indication of “SDS-103” series of medium accuracy (Accuracy class-III) and with brand name “SANTRO” (herein referred to as the said model), manufactured by M/s. Santro Digital Scales, I-D-35, New Housing Board, Pali, Rajasthan and which is assigned the approval mark IND/09/06/327;

The said model (see the figure given below) is a strain gauge type load cell based weighing instrument with a maximum capacity of 30kg. and minimum capacity of 100g. The verification scale interval (e) is 5g. It has a tare device with a 100 per cent subtractive retained tare effect. The Light Emitting Diode (LED) display indicates the weighing result. The instrument operates on 230 Volts and 50 Hertz alternate current power supply.



In addition to sealing the stamping plate, sealing shall also be done to prevent the opening of the machine for fraudulent practices and model shall not be changed in terms of its material, accuracy, design, circuit diagram, working principle, etc. before or after sale.

Further, in exercise of the powers conferred by sub-section (12) of Section 36 of the said Act, the Central Government hereby declares that this certificate of approval of the said model shall also cover the weighing instruments of similar make and performance of same series with maximum capacity up to 50kg. and with number of verification scale interval (n) in the range of 100 to 10,000 for ‘e’ value of 100mg. to 2g. and with number of verification scale interval (n) in the range of 500 to 10,000 for ‘e’ value of 5g. or more and with ‘e’ value of the form  $1 \times 10^k$ ,  $2 \times 10^k$  or  $5 \times 10^k$ , k being a positive or negative whole number or equal to zero manufactured by the same manufacturer in accordance with the same principle, design and with the same materials with which, the said approved model has been manufactured.

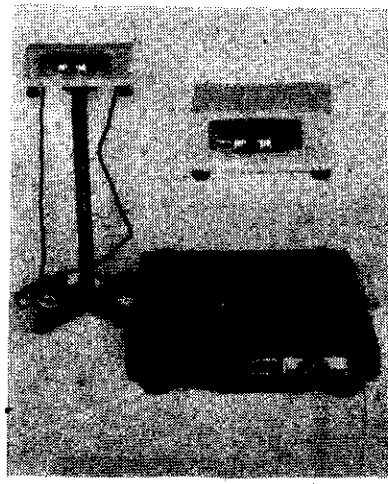
[F. No. WM-21(63)/2006]

P. A. KRISHNAMOORTHY, Director of Legal Metrology

नई दिल्ली, 14 जून, 2006

**का. आ. 2583.**—केन्द्रीय सरकार का, विहित प्राधिकारी द्वारा उसे प्रस्तुत रिपोर्ट पर विचार करने के पश्चात् यह समाधान हो गया है कि उक्त रिपोर्ट में वर्णित मॉडल (नीचे दी गई आकृति देखें) बाट और माप मानक अधिनियम, 1976 (1976 का 60) तथा बाट और माप मानक (मॉडलों का अनुमोदन) नियम, 1987 के उपबंधों के अनुरूप है और इस बात की संभावना है कि लगातार प्रयोग की अवधि में भी उक्त मॉडल यथार्थता बनाए रखेगा और विभिन्न परिस्थितियों में उपयुक्त सेवा प्रदान करता रहेगा;

अतः, अब, केन्द्रीय सरकार, उक्त अधिनियम की धारा 36 की उप-धारा (7) और (8) द्वारा प्रदत्त शक्तियों का प्रयोग करते हुए, मैसर्स सेन्ट्रो डिजीटल स्केल्स, 1-डी-35, न्यू हाउसिंग बोर्ड, पाली, राजस्थान, द्वारा निर्मित मध्यम यथार्थता (यथार्थता वर्ग-III) वाले “एस डी एस-1001” शृंखला के अंकक सूचन सहित, अस्वचालित तोलन उपकरण (प्लेटफार्म प्रकार) के मॉडल का, जिसके ब्रांड का नाम “सेन्ट्रो” है (जिसे इसमें इसके पश्चात् उक्त मॉडल कहा गया है) और जिसे अनुमोदन-चिन्ह आई एन डी/09/06/328 समनुदेशित किया गया है, अनुमोदन प्रमाण-पत्र जारी और प्रकाशित करती है।



उक्त मॉडल विकृति गेज प्रकार का भार सेल आधारित अस्वचालित (प्लेटफार्म प्रकार) तोलन उपकरण है। इसकी अधिकतम क्षमता 1000 कि. ग्रा. और न्यूनतम क्षमता 2 कि. ग्रा. है। सत्यापन मापमान अन्तराल (ई) का मान 100 ग्रा. है। इसमें एक आधेयतुलन युक्ति है जिसका शत प्रतिशत व्यवकलनात्मक धारित आधेयतुलन प्रभाव है। प्रकाश उत्सर्जक डायोड (एल ई डी) प्रदर्श परिणाम उपदर्शित करता है। उपकरण 230 वोल्ट, 50 हर्ट्ज प्रत्यावर्ती धारा विद्युत प्रदाय पर कार्य करता है।

स्टांपिंग प्लेट के मुद्रांकन के अतिरिक्त मशीन को कपटपूर्ण व्यवहारों के लिए खोलने से रोकने के लिए सीलबन्द भी किया जायेगा और माडल को उसकी सामग्री, यथार्थता, डिजाइन, सर्किट डायग्राम, कार्य निष्पादन सिद्धान्त आदि की शर्तों पर बेचने से पहले या बाद में कोई परिवर्तन नहीं किया जाएगा।

और, केन्द्रीय सरकार, उक्त अधिनियम की धारा 36 की उप-धारा (12) द्वारा प्रदत्त शक्तियों का प्रयोग करते हुए, यह घोषणा करती है कि उक्त मॉडल के अनुमोदन के इस प्रमाण-पत्र के अंतर्गत उसी विनिर्माता द्वारा उसी सिद्धांत, डिजाइन के अनुसार और उसी सामग्री से जिससे अनुमोदित मॉडल का निर्माण किया गया है विनिर्मित उसी शृंखला के वैसे ही मेक, यथार्थता और कार्यपालन के तोलन उपकरण भी होंगे जो 5 ग्रा. या उससे अधिक के ‘ई’ मान के लिए 500 से 10,000 तक की रेंज में सत्यापन मान अन्तराल (एन) सहित 50 कि. ग्रा. से अधिक और 5000 कि. ग्रा. तक की अधिकतम क्षमता वाले हैं और “ई” मान  $1 \times 10^3$ ,  $2 \times 10^3$  या  $5 \times 10^3$ , के हैं, जो धनात्मक या ऋणात्मक पूर्णांक या शून्य के समतुल्य है।

[फा. सं. डब्ल्यू एम-21(63)/2006]

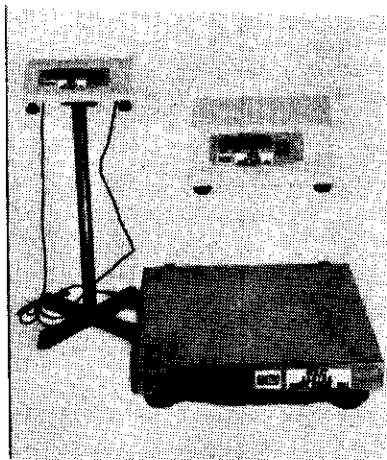
पी. ए. कृष्णामूर्ति, निदेशक, विधिक माप विज्ञान

New Delhi, the 14th June, 2006

**S.O. 2583.**—Whereas the Central Government, after considering the report submitted to it by the prescribed authority, is satisfied that the model described in the said report (see the figure given below) is in conformity with the provisions of the Standards of Weights and Measures Act, 1976 (60 of 1976) and the Standards of Weights and Measures (Approval of Models) Rules, 1987 and the said model is likely to maintain its accuracy over periods of sustained use and to render accurate service under varied conditions;

Now, therefore, in exercise of the powers conferred by sub-sections (7) and (8) of Section 36 of the said Act, the Central Government hereby issues and publishes the certificate of approval of the model of non-automatic weighing instrument (Platform type) with digital indication of “SDS-1001” series of medium accuracy class (accuracy class-III) and with brand name “SANTRO” (herein referred to as the said model), manufactured by M/s. Santro Digital Scales, 1-D-35, New Housing Board, Pali, Rajasthan and which is assigned the approval mark IND/09/06/328;

The said model (see the figure given below) is a strain gauge type load cell based weighing instrument with a maximum capacity of 1000 kg. and minimum capacity of 2 kg. The verification scale interval (e) is 100g. It has a tare device with a 100 per cent subtractive retained tare effect. The light emitting diode (LED) display indicates the weighing result. The instrument operates on 230 Volts and 50 Hertz alternate current power supply.



In addition to sealing the stamping plate, sealing shall also be done to prevent the opening of the machine for fraudulent practices and model shall not be changed in terms of its material, accuracy, design, circuit diagram, working principle, etc. before or after sale.

Further, in exercise of the powers conferred by sub-section (12) of the Section 36 of the said Act, the Central Government hereby declares that this certificate of approval of the said model shall also cover the weighing instruments of similar make and performance of same series with maximum capacity above 50 kg. and up to 5000 kg with the number of verification scale interval (n) in the range of 500 to 10,000 for ‘e’ value of 5g or more and with ‘e’ value of the form  $1 \times 10^k$ ,  $2 \times 10^k$  or  $5 \times 10^k$ , k being a positive or negative whole number or equal to zero manufactured by the same manufacturer in accordance with the same principle, design and with the same materials with which, the said approved model has been manufactured.

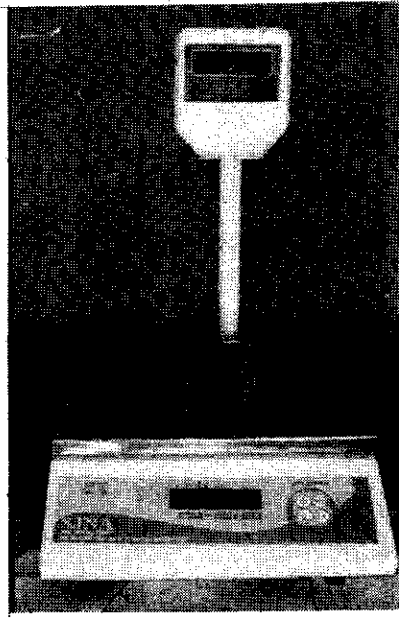
[F. No. WM-21(63)/2006]

P. A. KRISHNAMOORTHY, Director of Legal Metrology

नई दिल्ली, 14 जून, 2006

का. आ. 2584.—केन्द्रीय सरकार का, विहित प्राधिकारी द्वारा उसे प्रस्तुत रिपोर्ट पर विचार करने के पश्चात् यह समाधान हो गया है कि उक्त रिपोर्ट में वर्णित मॉडल (नीचे दी गई आकृति देखें) बाट और माप मानक अधिनियम, 1976 (1976 का 60) तथा बाट और माप मानक (मॉडलों का अनुमोदन) नियम, 1987 के उपबंधों के अनुरूप है और इस बात की संभावना है कि लगातार प्रयोग की अवधि में भी उक्त मॉडल यथार्थता बनाए रखेगा और विभिन्न परिस्थितियों में उपयुक्त सेवा प्रदान करता रहेगा;

अतः, अब, केन्द्रीय सरकार, उक्त अधिनियम की धारा 36 की उप-धारा (7) और (8) द्वारा प्रदत्त शक्तियों का प्रयोग करते हुए मैसर्स सजना वेइंग इन्डस्ट्रीज, आई टी आई रोड, इन्डस्ट्रीयल एरिया, पाली, मारवार, राजस्थान द्वारा निर्मित उच्च यथार्थता वर्ग (यथार्थता वर्ग-II) वाले "जे डब्ल्यू 30" शृंखला के अंकक सूचन सहित अस्वचालित तोलन उपकरण (टेबल टॉप प्रकार) के मॉडल का, जिसके ब्रांड का नाम "सजना" है (जिसे इसमें इसके पश्चात् उक्त मॉडल कहा गया है) और जिसे अनुमोदन चिन्ह आई एन डी/09/06/297 समनुदेशित किया गया है, अनुमोदन प्रमाण-पत्र जारी और प्रकाशित करती है;



उक्त मॉडल विकृति गेज प्रकार का भार सेल आधारित अस्वचालित (टेबल टॉप प्रकार) तोलन उपकरण है। इसकी अधिकतम क्षमता 30 कि.ग्रा. और न्यूनतम क्षमता 100 ग्राम है। सत्यापन मापमान अंतराल (ई) का मान 2 ग्राम है। इसमें एक आधेयतुलन युक्ति है जिसका शत प्रतिशत व्यवकलनात्मक धारित आधेयतुलन प्रभाव है। प्रकाश उत्सर्जक डायोड (एल ई डी) प्रदर्श तोलन परिणाम उपदर्शित करता है। उपकरण 230 वोल्ट, 50 हर्ट्ज प्रत्यावर्ती धारा विद्युत प्रदाय पर कार्य करता है।

स्टाम्पिंग प्लेट के मुद्रांकन के अतिरिक्त मशीन को कपटपूर्ण व्यवहारों के लिए खोलने से रोकने के लिए सीलबन्द भी किया जाएगा। और मॉडल को उसकी सामग्री, यथार्थता, डिजाइन, सर्किट डायग्राम, कार्य निष्पादन सिद्धांत आदि की शर्तों पर बेचने से पहले या बाद में कोई परिवर्तन नहीं किया जाएगा।

और केन्द्रीय सरकार उक्त अधिनियम की धारा 36 की उप-धारा (12) द्वारा प्रदत्त शक्तियों का प्रयोग करते हुए यह घोषणा करती है कि उक्त मॉडल के अनुमोदन के इस प्रमाण-पत्र के अंतर्गत उसी विनिर्माता द्वारा उसी सिद्धांत, डिजाइन के अनुसार और उसी सामग्री से, जिससे अनुमोदित मॉडल का निर्माण किया गया है, विनिर्मित उसी शृंखला के वैसे ही मेक, यथार्थता और कार्यपालन के तोलन उपकरण भी होंगे जो 1 मि. ग्राम से 50 मि. ग्राम तक 'ई' मान के लिए 100 से 50,000 तक के रेंज में सत्यापन मापमान अंतराल (एन) और 100 मि. ग्राम या उससे अधिक के 'ई' मान के लिए 5000 से 50,000 तक की रेंज में मापमान (एन) अंतराल सहित 50 कि.ग्रा. तक की अधिकतम क्षमता वाले हैं और 'ई' मान  $1 \times 10^{-6}$ ,  $2 \times 10^{-6}$  या  $5 \times 10^{-6}$ , के हैं, जो धनात्मक या ऋणात्मक पूर्णांक या शून्य के समतुल्य हैं।

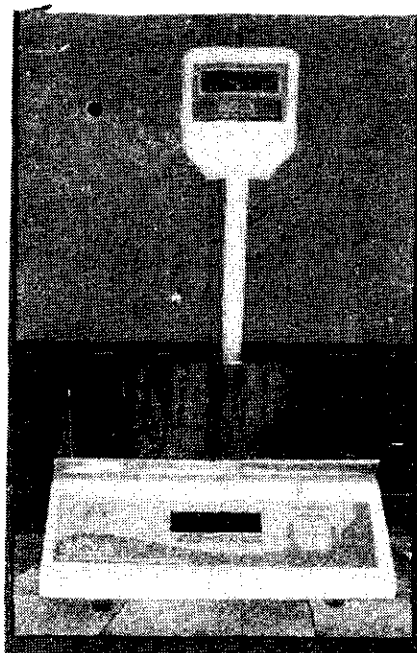
[फा. सं. डब्ल्यू एम-21(66)/2006]

पी. ए. कृष्णामूर्ति, निदेशक, विधिक माप विज्ञान

New Delhi, the 14th June, 2006

**S.O. 2584.**—Whereas the Central Government, after considering the report submitted to it by the prescribed authority, is satisfied that the Model described in the said report (see the figure given below) is in conformity with the provisions of the Standards of Weights and Measures Act, 1976 (60 of 1976) and the Standards of Weights and Measures (Approval of Models) Rules, 1987 and the said Model is likely to maintain its accuracy over periods of sustained use and to render accurate service under varied conditions;

Now, therefore, in exercise of the powers conferred by sub-sections (7) and (8) of Section 36 of the said Act, the Central Government hereby issues and publishes the certificate of approval of Model of non-automatic weighing instrument (Table top type) with digital indication of high accuracy (Accuracy class-II), of series "JW 30" and with brand name "SJNA" (herein after referred to as the said Model), manufactured by M/s. Sjna Weighing Industries, I.T.I. Road, Industrial Area, Pali—Marwar, Rajasthan and which is assigned the approval mark IND/09/06/297;



The said Model is strain gauge type load cell based non-automatic weighing instrument (Table top type) with a maximum capacity of 30 kg and minimum capacity of 100g. The verification scale interval (e) is 2g. It has a tare device with 100 per cent subtractive retained tare effect. The Light Emitting Diode (LED) indicates the weighing results. The instrument operates on 230 Volts, 50Hertz alternative current power supply.

In addition to sealing the stamping plate, sealing shall also be done to prevent the opening of the machine for fraudulent practices and Model shall not be changed in terms of its material, accuracy, design, circuit diagram, working principle, etc. before or after sale.

Further, in exercise of the powers conferred by sub-section (12) of Section 36 of the said Act, the Central Government hereby declares that this certificate of approval of the said Model shall also cover the weighing instruments of similar make, accuracy and performance of same series with maximum capacity upto 50kg. with verification scale interval (n) in the range of 100 to 50,000 for 'e' value of 1mg. to 50mg. and with verification scale interval (n) in the range of 5000 to 50,000 for 'e' value of 100mg. or more and with 'e' value of  $1 \times 10^k$ ,  $2 \times 10^k$  or  $5 \times 10^k$ , where k is a positive or negative whole number or equal to zero manufactured by the same manufacturer in accordance with the same principle, design and with the same materials with which, the said approved Model has been manufactured.

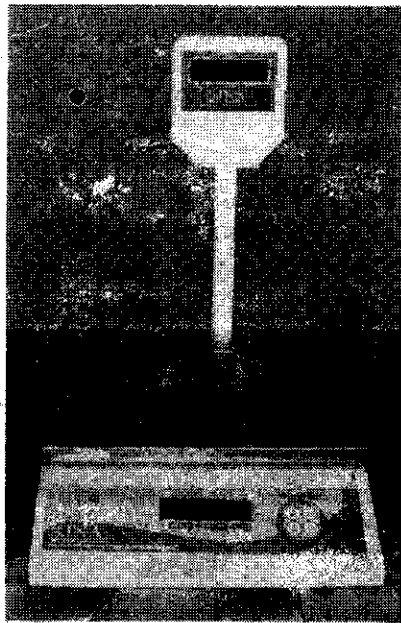
[F. No. WM-21(66)/2006]

P. A. KRISHNAMOORTHY, Director of Legal Metrology

नई दिल्ली, 14 जून, 2006

**का. आ. 2585.**—केन्द्रीय सरकार का, विहित प्राधिकारी द्वारा उसे प्रस्तुत रिपोर्ट पर विचार करने के पश्चात् यह समाधान हो गया है कि उक्त रिपोर्ट में वर्णित मॉडल (नीचे दी गई आकृति देखें) बाट और माप मानक अधिनियम, 1976 (1976 का 60) तथा बाट और माप मानक (मॉडलों का अनुमोदन) नियम, 1987 के उपबंधों के अनुरूप है और इस बात की संभावना है कि लगातार प्रयोग की अवधि में भी उक्त मॉडल यथार्थता बनाए रखेगा और विभिन्न परिस्थितियों में उपयुक्त सेवा प्रदान करता रहेगा;

अतः, अब, केन्द्रीय सरकार, उक्त अधिनियम की धारा 36 की उप-धारा (7) और (8) द्वारा प्रदत्त शक्तियों का प्रयोग करते हुए, मैसर्स सजना वेइंग इन्डस्ट्रीज, आई टी आई रोड, इन्डस्ट्रीयल एरिया, पाली, मारवार, राजस्थान द्वारा निर्मित मध्यम यथार्थता (यथार्थता वर्ग-III) वाले 'टी टी 30के' शृंखला के अंकक सूचन सहित अस्वचालित तोलन उपकरण (टेबल टॉप प्रकार) के मॉडल का, जिसके ब्रांड का नाम 'सजना' है (जिसे इसमें इसके पश्चात् उक्त मॉडल कहा गया है) और जिसे अनुमोदन चिन्ह आई एन डी/09/06/298 समनुदेशित किया गया है, अनुमोदन प्रमाणपत्र जारी और प्रकाशित करती है;



उक्त मॉडल विकृति गेज प्रकार का भार सेल आधारित अस्वचालित (टेबल टॉप प्रकार) तोलन उपकरण है। इसकी अधिकतम क्षमता 30 कि.ग्रा. और न्यूनतम क्षमता 100 ग्राम है। सत्यापन मापमान अंतराल (ई) का मान 5 ग्राम है। इसमें एक आधेयतुलन युक्ति है जिसका शत प्रतिशत व्यकलनात्मक धारित आधेयतुलन प्रभाव है। प्रकाश उत्सर्जक डायोड (एल ई डी) प्रदर्श परिणाम उपदर्शित करता है। उपकरण 230 वोल्ट, 50 हर्ट्ज प्रत्यावर्ती धारा विद्युत प्रदाय पर कार्य करता है।

स्टाम्पिंग प्लेट के मुद्रांकन के अतिरिक्त मशीन को कपटपूर्ण व्यवहारों के लिए खोलने से रोकने के लिए सीलबन्द भी किया जाएगा। और मॉडल को उसकी सामग्री, यथार्थता, डिजाइन, सर्किट डायग्राम, कार्य निष्पादन सिद्धांत आदि की शर्तों पर बेचने से पहले या बाद में कोई परिवर्तन नहीं किया जाएगा।

और, केन्द्रीय सरकार उक्त अधिनियम की धारा 36 की उपधारा (12) द्वारा प्रदत्त शक्तियों का प्रयोग करते हुए, यह घोषणा करती है कि उक्त मॉडल के अनुमोदन के इस प्रमाणपत्र के अंतर्गत उसी विनिर्माता द्वारा उसी सिद्धांत, डिजाइन के अनुसार और उसी सामग्री से, जिससे अनुमोदित मॉडल का निर्माण किया गया है, विनिर्मित उसी शृंखला के वैसे ही मेक, यथार्थता और कार्यपालन के तोलन उपकरण भी होंगे जो 100 मि. ग्राम से 2 ग्रा. तक 'ई' मान के लिए 100 से 10,000 तक के रेंज में सत्यापन मापमान अंतराल (एन) और 5 ग्राम या उससे अधिक के 'ई' मान के लिए 500 से 10,000 तक की रेंज में मापमान (एन) अंतराल सहित 50 कि.ग्रा. तक की अधिकतम क्षमता वाले हैं और "ई" मान  $1 \times 10^{-6}$ ,  $2 \times 10^{-6}$  या  $5 \times 10^{-6}$ , के हैं, जो धनात्मक या ऋणात्मक पूर्णांक या शून्य के समतुल्य हैं।

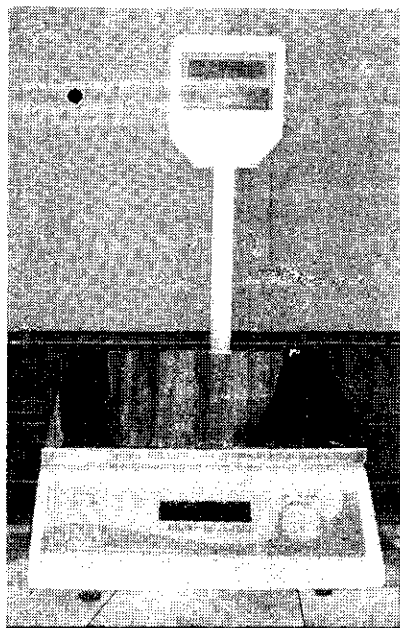
[फा. सं. डब्ल्यू एम-21(66)/2006]

पी. ए. कृष्णामूर्ति, निदेशक, विधिक माप विज्ञान

New Delhi, the 14th June, 2006

**S.O. 2585.**—Whereas the Central Government, after considering the report submitted to it by the prescribed authority, is satisfied that the Model described in the said report (see the figure given below) is in conformity with the provisions of the Standards of Weights and Measures Act, 1976 (60 of 1976) and the Standards of Weights and Measures (Approval of Models) Rules, 1987 and the said Model is likely to maintain its accuracy over periods of sustained use and to render accurate service under varied conditions;

Now, therefore, in exercise of the powers conferred by sub-sections (7) and (8) of Section 36 of the said Act, the Central Government hereby issues and publishes the certificate of approval of Model of non-automatic weighing instrument (Table top type) with digital indication of medium accuracy (Accuracy class-III), of series “TT 30K” and with brand name “SJNA” (herein after referred to as the said Model), manufactured by M/s. Sjna Weighing Industries, I.T.I. Road, Industrial Area, Pali—Marwar, Rajasthan and which is assigned the approval mark IND/09/06/298;



The said Model is strain gauge type load cell based non-automatic weighing instrument (Table top type) with a maximum capacity of 30 kg and minimum capacity of 100g. The verification scale interval (e) is 5 g. It has a tare device with 100 per cent subtractive retained tare effect. The Light Emitting Diode (LED) indicates the weighing results. The instrument operates on 230 Volts and 50 Hertz alternative current power supply.

In addition to sealing the stamping plate, sealing shall also be done to prevent the opening of the machine for fraudulent practices and Model shall not be changed in terms of its material, accuracy, design, circuit diagram, working principle etc., before or after sale.

Further, in exercise of the powers conferred by sub-section (12) of Section 36 of the said Act, the Central Government hereby declares that this certificate of approval of the said Model shall also cover the weighing instruments of similar make, accuracy and performance of same series with maximum capacity upto 50kg. with verification scale interval (n) in the range of 100 to 10,000 for ‘e’ value of 100mg. to 2g. and with verification scale interval (n) in the range of 500 to 10,000 for ‘e’ value of 5g. or more and with ‘e’ value of  $1 \times 10^k$ ,  $2 \times 10^k$  or  $5 \times 10^k$ , k being a positive or negative whole number or equal to zero manufactured by the same manufacturer in accordance with the same principle, design and with the same materials with which, the said approved Model has been manufactured.

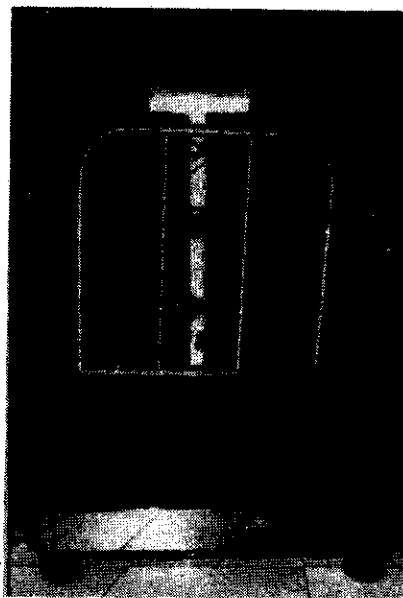
[F. No. WM-21(66)/2006]

P. A. KRISHNAMOORTHY, Director of Legal Metrology

नई दिल्ली, 14 जून, 2006

का. आ. 2586.—केन्द्रीय सरकार का, विहित प्राधिकारी द्वारा उसे प्रस्तुत रिपोर्ट पर विचार करने के पश्चात् यह समाधान हो गया है कि उक्त रिपोर्ट में वर्णित मॉडल (नीचे दी गई आकृति देखें) बाट और माप मानक अधिनियम, 1976 (1976 का 60) तथा बाट और माप मानक (मॉडलों का अनुमोदन) नियम, 1987 के उपबंधों के अनुरूप है और इस बात की संभावना है कि लगातार प्रयोग की अवधि में भी उक्त मॉडल यथार्थता बनाए रखेगा और विभिन्न परिस्थितियों में उपयुक्त सेवा प्रदान करता रहेगा;

अतः, अब, केन्द्रीय सरकार, उक्त अधिनियम की धारा 36 की उप-धारा (7) और (8) द्वारा प्रदत्त शक्तियों का प्रयोग करते हुए मैसर्स सजना वेइंग इन्डस्ट्रीज, आई टी आई रोड, इन्डस्ट्रीयल एरिया, पाली, मारवार, राजस्थान द्वारा निर्मित मध्यम यथार्थता वर्ग (यथार्थता वर्ग-III) वाले “पी एफ 300के” श्रृंखला के अंकक सूचन सहित अस्वचालित तोलन उपकरण (प्लेटफार्म प्रकार) के मॉडल का, जिसके ब्रांड का नाम “सजना” है (जिसे इसमें इसके पश्चात् उक्त मॉडल कहा गया है) और जिसे अनुमोदन चिह्न आई एन डी/09/06/299 समनुदेशित किया गया है, अनुमोदन प्रमाण-पत्र जारी और प्रकाशित करती है;



उक्त मॉडल विकृति गेज प्रकार का भार सेल आधारित अस्वचालित (प्लेटफार्म प्रकार) तोलन उपकरण है। इसकी अधिकतम क्षमता 300 कि.ग्रा. और न्यूनतम क्षमता 1 कि. ग्राम है। सत्यापन मापमान अंतराल (ई) का मान 50 ग्राम है। इसमें एक आधेयतुलन युक्ति है जिसका शत प्रतिशत व्यवकलनात्मक धारित आधेयतुलन प्रभाव है। प्रकाश उत्सर्जक डायोड (एल ई डी) प्रदर्श परिणाम उपदर्शित करता है। उपकरण 230 वोल्ट और 50 हर्ट्ज प्रत्यावर्ती धारा विद्युत प्रदाय पर कार्य करता है।

स्टाम्पिंग प्लेट के मुद्रांकन के अतिरिक्त मशीन को कपटपूर्ण व्यवहारों के लिए खोलने से रोकने के लिए सीलबन्द भी किया जाएगा। और मॉडल को उसकी सामग्री, यथार्थता, डिजाइन, सर्किट डायग्राम, कार्य निष्पादन सिद्धांत आदि के शर्तों पर बेचने से पहले या बाद में कोई परिवर्तन नहीं किया जाएगा।

और केन्द्रीय सरकार उक्त अधिनियम की धारा 36 की उप-धारा (12) द्वारा प्रदत्त शक्तियों का प्रयोग करते हुए यह घोषणा करती है कि उक्त मॉडल के अनुमोदन के इस प्रमाण-पत्र के अंतर्गत उसी विनिर्माता द्वारा उसी सिद्धांत, डिजाइन के अनुसार और उसी सामग्री से, जिससे अनुमोदित मॉडल का निर्माण किया गया है, विनिर्मित उसी श्रृंखला के वैसे ही मेक, यथार्थता और कार्यपालन के तोलन उपकरण भी होंगे जो 5 ग्रा. या उससे अधिक के ‘ई’ मान के लिए 500 से 10,000 तक के रेंज में सत्यापन मापमान अंतराल (एन) सहित 50 कि. ग्राम से अधिक और 1,000 कि.ग्रा. तक की अधिकतम क्षमता वाले हैं और “ई” मान  $1 \times 10^3$ ,  $2 \times 10^3$  या  $5 \times 10^3$ , के हैं, जो धनात्मक या ऋणात्मक पूर्णांक या शून्य के समतुल्य हैं।

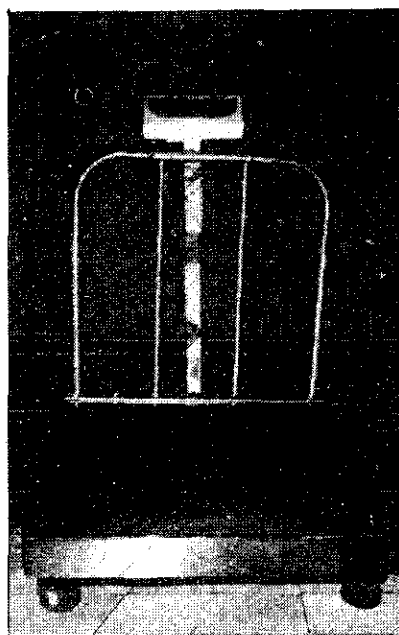
[फा. सं. डब्ल्यू एम-21(66)/2006]

• पी. ए. कृष्णामूर्ति, निदेशक, विधिक माप विज्ञान

New Delhi, the 14th June, 2006

**S.O. 2586.**—Whereas the Central Government, after considering the report submitted to it by the prescribed authority, is satisfied that the Model described in the said report (see the figure given below) is in conformity with the provisions of the Standards of Weights and Measures Act, 1976 (60 of 1976) and the Standards of Weights and Measures (Approval of Models) Rules, 1987 and the said Model is likely to maintain its accuracy over periods of sustained use and to render accurate service under varied conditions;

Now, therefore, in exercise of the powers conferred by Sub-sections (7) and (8) of Section 36 of the said Act, the Central Government hereby issues and publishes the certificate of approval of Model of non-automatic weighing instrument (Platform type) with digital indication of medium accuracy (Accuracy class-III), of series "PF 30K" and with brand name "SJNA" (herein after referred to as the said Model), manufactured by M/s. Sjna Weighing Industries, I.T.I. Road, Industrial Area, Pali—Marwar, Rajasthan and which is assigned the approval mark IND/09/06/299;



The said Model is strain gauge type load cell based non-automatic weighing instrument (Platform type) with a maximum capacity of 300 kg and minimum capacity of 1kg. The verification scale interval (e) is 50 g. It has a tare device with 100 per cent subtractive retained tare effect. The Light Emitting Diode (LED) indicates the weighing result. The instrument operates on 230 Volts and 50Hertz alternative current power supply.

In addition to sealing the stamping plate, sealing shall also be done to prevent the opening of the machine for fraudulent practices and Model shall not be changed in terms of its material, accuracy, design, circuit diagram, working principle etc. before or after sale.

Further, in exercise of the powers conferred by Sub-section (12) of Section 36 of the said Act, the Central Government hereby declares that this certificate of approval of the said Model shall also cover the weighing instruments of similar make, accuracy and performance of same series with maximum capacity above 50kg. upto 1000kg. with verification scale interval (n) in the range of 500 to 10,000 for 'e' value of 50g. or more and with 'e' value of  $1 \times 10^k$ ,  $2 \times 10^k$  or  $5 \times 10^k$ , k being a positive or negative whole number or equal to zero manufactured by the same manufacturer in accordance with the same principle, design and with the same materials with which, the said approved Model has been manufactured by the same manufacturer.

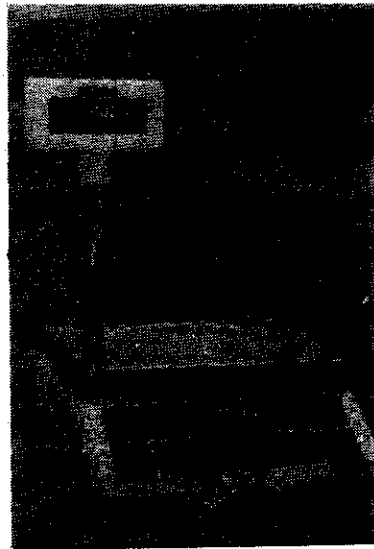
[F. No. WM-21(66)/2006]

P. A. KRISHNAMOORTHY, Director of Legal Metrology

नई दिल्ली, 14 जून, 2006

का. आ. 2587.—केन्द्रीय सरकार का, विहित प्राधिकारी द्वारा उसे प्रस्तुत रिपोर्ट पर विचार करने के पश्चात् यह समाधान हो गया है कि उक्त रिपोर्ट में वर्णित मॉडल (नीचे दी गई आकृति देखें) बाट और माप मानक अधिनियम, 1976 (1976 का 60) तथा बाट और माप मानक (मॉडलों का अनुमोदन) नियम, 1987 के उपबंधों के अनुरूप है और इस बात की संभावना है कि लगातार प्रयोग की अवधि में भी उक्त मॉडल यथार्थता बनाए रखेगा और विभिन्न परिस्थितियों में उपयुक्त सेवा प्रदान करता रहेगा;

अतः, अब, केन्द्रीय सरकार, उक्त अधिनियम की धारा 36 की उप-धारा (7) और (8) द्वारा प्रदत्त शक्तियों का प्रयोग करते हुए मैसर्स कार्गो वेइंग सिस्टम, जी-1891/सी.जी.आई.डी.सी., मेटोडा, राजकोट, गुजरात द्वारा निर्मित उच्च यथार्थता (यथार्थता वर्ग-II) वाले “सी टी” शृंखला के अंकक सूचना सहित अस्वचालित तोलन उपकरण (टेबल टॉप प्रकार) के मॉडल का, जिसके ब्रांड का नाम “कार्गो” है (जिसे इसमें इसके पश्चात् उक्त मॉडल कहा गया है) और जिसे अनुमोदन चिन्ह आई एन डी/09/05/1067 समनुदेशित किया गया है, अनुमोदन प्रमाण-पत्र जारी और प्रकाशित करती है;



उक्त मॉडल विकृति गेज प्रकार का भार सेल आधारित अस्वचालित (टेबल टॉप प्रकार) तोलन उपकरण है। इसकी अधिकतम क्षमता 30 कि.ग्रा. और न्यूनतम क्षमता 100 ग्राम है। सत्यापन मापमान अंतराल (ई) का मान 2 ग्राम है। इसमें एक आधेयतुलन युक्ति है जिसका शत प्रतिशत व्यवकलनात्मक धारित आधेयतुलन प्रभाव है। प्रकाश उत्सर्जक डायोड (एल ई डी) प्रदर्श परिणाम उपदर्शित करता है। उपकरण 230 वोल्ट और 50 हर्ट्ज प्रत्यावर्ती धारा विद्युत प्रदाय पर कार्य करता है।

स्टाम्पिंग प्लेट के मुद्रांकन के अतिरिक्त मशीन को कपटपूर्ण व्यवहारों के लिए खोलने से रोकने के लिए सीलबन्ध भी किया जाएगा।

और केन्द्रीय सरकार उक्त अधिनियम की धारा 36 की उप-धारा (12) द्वारा प्रदत्त शक्तियों का प्रयोग करते हुए यह घोषणा करती है कि उक्त मॉडल के अनुमोदन के इस प्रमाण-पत्र के अंतर्गत उसी विनिर्माता द्वारा उसी सिद्धांत, डिजाइन के अनुसार और उसी सामग्री से, जिससे अनुमोदित मॉडल का निर्माण किया गया है, विनिर्मित उसी शृंखला के वैसे ही मेक, यथार्थता और कार्यपालन के तोलन उपकरण भी होंगे जो 1 मि.ग्रा. से 50 मि. ग्रा. तक ‘ई’ मान के लिए 100 से 50,000 तक के रेंज में सत्यापन मापमान अंतराल (एन) और 100 मि. ग्रा. या उससे अधिक के ‘ई’ मान के लिए 5000 से 50,000 तक की रेंज में मापमान (एन) अंतराल सहित 50 कि. ग्राम तक की अधिकतम क्षमता वाले हैं और “ई” मान  $1 \times 10^{-6}$ ,  $2 \times 10^{-6}$  या  $5 \times 10^{-6}$ , के हैं, जो धनात्मक या ऋणात्मक पूर्णांक या शून्य के समतुल्य हैं।

[फा. सं. डब्ल्यू एम-21(254)/2005]

पी. ए. कृष्णामूर्ति, निदेशक, विधिक माप विज्ञान

New Delhi, the 14th June, 2006

**S.O. 2587.**—Whereas the Central Government, after considering the report submitted to it by the prescribed authority, is satisfied that the Model described in the said report (see the figure given below) is in conformity with the provisions of the Standards of Weights and Measures Act, 1976 (60 of 1976) and the Standards of Weights and Measures (Approval of Models) Rules, 1987 and the said Model is likely to maintain its accuracy over periods of sustained use and to render accurate service under varied conditions;

Now, therefore, in exercise of the powers conferred by sub-sections (7) and (8) of Section 36 of the said Act, the Central Government hereby issues and publishes the certificate of approval of the Model of non-automatic weighing instrument (Table top type) with digital indication of "CT" series of high accuracy (Accuracy class-II), and with brand name "CARGO" (herein after referred to as the said Model), manufactured by M/s. Cargo weighing System, G-1891/C, G.I.D.C., Metoda, rajkot, Gujarat and which is assigned the approval mark IND/09/05/1067;



The said Model is a strain gauge type load cell based non-automatic weighing instrument (Table top type) with a maximum capacity of 30 kg. and minimum capacity of 100g. The verification scale interval (e) is 2 g. It has a tare device with 100 per cent subtractive retained tare effect. The Light Emitting Diode (LED) indicates the weighing result. The instrument operates on 230 Volts and 50Hertz alternative current power supply.

In addition to sealing the stamping plate, sealing shall also be done to prevent the opening of the machine for fraudulent practices.

Further, in exercise of the powers conferred by sub-section (12) of Section 36 of the said Act, the Central Government hereby declares that this certificate of approval of the said Model shall also cover the weighing instrument of similar make and performance of same series with maximum capacity upto 50kg. and with number of verification scale interval (n) in the range of 100 to 5000 for 'e' value of 1mg. to 50 mg. and with number of verification scale interval (n) in the range of 5000 to 50,000 for 'e' value of 100 mg or more and with 'e' value of  $1 \times 10^k$ ,  $2 \times 10^k$  or  $5 \times 10^k$ , k being the positive or negative whole number or equal to zero manufactured by the same manufacturer in accordance with the same principle, design and with the same materials with which, the said approved model has been manufactured.

[F. No. WM-21(254)/2005]

P. A. KRISHNAMOORTHY, Director of Legal Metrology

नई दिल्ली, 14 जून, 2006

का. आ. 2588.—केन्द्रीय सरकार का, विहित प्राधिकारी द्वारा उसे प्रस्तुत रिपोर्ट पर विचार करने के पश्चात् यह समाधान हो गया है कि उक्त रिपोर्ट में वर्णित मॉडल (नीचे दी गई आकृति देखें) बाट और माप मानक अधिनियम, 1976 (1976 का 60) तथा बाट और माप मानक (मॉडलों का अनुमोदन) नियम, 1987 के उपबंधों के अनुरूप है और इस बात की संभावना है कि लगातार प्रयोग की अवधि में भी उक्त मॉडल यथार्थता बनाए रखेगा और विभिन्न परिस्थितियों में उपयुक्त सेवा प्रदान करता रहेगा;

अतः, अब, केन्द्रीय सरकार, उक्त अधिनियम की धारा 36 की उप-धारा (7) और (8) द्वारा प्रदत्त शक्तियों का प्रयोग करते हुए मैसर्स कार्गो वेइंग सिस्टम, जी-1891/सी.जी.आई.डी.सी., मेटोडा, राजकोट, गुजरात द्वारा निर्मित मध्यम यथार्थता (यथार्थता वर्ग-III) वाले “सी टी” शृंखला के अंकक सूचन सहित अस्वचालित तोलन उपकरण (टेबल टॉप प्रकार) के मॉडल का, जिसके ब्रांड का नाम “कार्गो” है (जिसे इसमें इसके पश्चात् उक्त मॉडल कहा गया है) और जिसे अनुमोदन चिन्ह आई एन डी/09/05/1068 समनुदेशित किया गया है, अनुमोदन प्रमाण-पत्र जारी और प्रकाशित करती है;



उक्त मॉडल विकृति गेज प्रकार का भार सेल आधारित अस्वचालित (टेबल टॉप प्रकार) तोलन उपकरण है। इसकी अधिकतम क्षमता 30 कि.ग्रा. और न्यूनतम क्षमता 100 ग्राम. है। सत्यापन मापमान अंतराल (ई) का मान 5 ग्रा. है। इसमें एक आधेयतुलन युक्ति है जिसका शत प्रतिशत व्यवकलनात्मक धारित आधेयतुलन प्रभाव है। प्रकाश उत्सर्जक डायोड (एल ई डी) प्रदर्श परिणाम उपदर्शित करता है। उपकरण 230 वोल्ट 50 हर्ट्ज प्रत्यावर्ती धारा विद्युत प्रदाय पर कार्य करता है।

स्टाम्पिंग प्लेट के मुद्रांकन के अतिरिक्त मशीन को कपटपूर्ण व्यवहारों के लिए खोलने से रोकने के लिए सीलबन्द भी किया जाएगा।

और केन्द्रीय सरकार उक्त अधिनियम की धारा 36 की उप-धारा (12) द्वारा प्रदत्त शक्तियों का प्रयोग करते हुए यह घोषणा करती है कि उक्त मॉडल के अनुमोदन के इस प्रमाण-पत्र के अंतर्गत उसी विनिर्माता द्वारा उसी सिद्धांत, डिजाइन के अनुसार और उसी सामग्री से, जिससे अनुमोदित मॉडल का निर्माण किया गया है, विनिर्मित उसी शृंखला के वैसे ही मेक, यथार्थता और कार्यपालन के तोलन उपकरण भी होंगे जो 100 मि.ग्रा. से 2 ग्रा. तक ‘ई’ मान के लिए 100 से 10,000 तक के रेंज में सत्यापन मापमान अंतराल (एन) और 5 ग्रा. या उससे अधिक के ‘ई’ मान के लिए 500 से 10,000 तक की रेंज में मापमान (एन) अन्तराल सहित 50 कि.ग्राम तक की अधिकतम क्षमता वाले हैं और “ई” मान  $1 \times 10^*$ ,  $2 \times 10^*$  या  $5 \times 10^*$ , के हैं, जो धनात्मक या ऋणात्मक पूर्णांक या शून्य के समतुल्य हैं।

[फा. सं. डब्ल्यू एम-21(254)/2005]

पी. ए. कृष्णामूर्ति, निदेशक, विधिक माप विज्ञान

New Delhi, the 14th June, 2006

**S.O. 2588.**—Whereas the Central Government, after considering the report submitted to it by the prescribed authority, is satisfied that the Model described in the said report (see the figure given below) is in conformity with the provisions of the Standards of Weights and Measures Act, 1976 (60 of 1976) and the Standards of Weights and Measures (Approval of Models) Rules, 1987 and the said Model is likely to maintain its accuracy over periods of sustained use and to render accurate service under varied conditions;

Now, therefore, in exercise of the powers conferred by sub-sections (7) and (8) of Section 36 of the said Act, the Central Government hereby issues and publishes the certificate of approval of the Model of non-automatic (Table top type) weighing instrument with digital indication of "CT" series of medium accuracy (accuracy class-III), and with brand name "CARGO" (herein after referred to as the said Model), manufactured by M/s. Cargo Weighing Systems, G-1891/C, G.I.D.C., Metoda, Rajkot, Gujarat and which is assigned the approval mark IND/09/05/1068;



The said model is a strain gauge type load cell based non-automatic weighing instrument (Table top type) with a maximum capacity of 30kg and minimum capacity of 100g. The verification scale interval (e) is 5 g. It has a tare device with 100 percent subtractive retained tare effect. The Light emitting diode (LED) display indicates the weighing result. The instrument operates on 230 Volts, 50 Hertz alternative current power supply.

In addition to sealing the stamping plate, sealing shall also be done to prevent the opening of the machine for fraudulent practices.

Further, in exercise of the powers conferred by sub-section (12) of Section 36 of the said Act, the Central Government hereby declares that this certificate of approval of the said model shall also cover the weighing instrument of similar make, accuracy and performance of same series with maximum capacity up to 50kg with verification scale interval (n) in the range of 100 to 10000 for 'e' value of 100mg to 2g or with verification scale interval (n) in the range of 500 to 10,000 for 'e' value of 5g or more and with 'e' value of  $1 \times 10^k$ ,  $2 \times 10^k$  or  $5 \times 10^k$ , k being a positive or negative whole number or equal to zero manufactured by the same manufacturer in accordance with the same principle, design and with the same materials with which, the said approved Model has been manufactured.

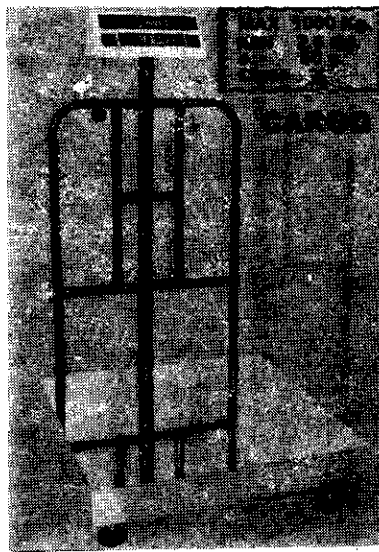
[F. No. WM-21(254)/2005]

P. A. KRISHNAMOORTHY, Director of Legal Metrology

नई दिल्ली, 14 जून, 2006

**का. आ. 2589.**—केन्द्रीय सरकार का, विहित प्राधिकारी द्वारा उसे प्रस्तुत रिपोर्ट पर विचार करने के पश्चात् यह समाधान हो गया है कि उक्त रिपोर्ट में वर्णित मॉडल (नीचे दी गई आकृति देखें) बाट और माप मानक अधिनियम, 1976 (1976 का 60) तथा बाट और माप मानक (मॉडलों का अनुमोदन) नियम, 1987 के उपबंधों के अनुरूप है और इस बात की संभावना है कि लगातार प्रयोग की अवधि में भी उक्त मॉडल यथार्थता बनाए रखेगा और विभिन्न परिस्थितियों में उपयुक्त सेवा प्रदान करता रहेगा;

अतः, अब, केन्द्रीय सरकार, उक्त अधिनियम की धारा 36 की उप-धारा (7) और (8) द्वारा प्रदत्त शक्तियों का प्रयोग करते हुए मैसर्स कार्गो वेइंग सिस्टम, जी-1891/सी, जीआईडीसी, मेटोडा राजकोट, गुजरात, द्वारा निर्मित उच्च यथार्थता (यथार्थता वर्ग-II) वाले “सी पी” शृंखला के अंकक सूचन सहित अस्वचालित तोलन उपकरण (प्लेटफार्म प्रकार) के मॉडल का, जिसके ब्रांड का नाम “कार्गो” है (जिसे इसमें इसके पश्चात् उक्त मॉडल कहा गया है) और जिसे अनुमोदन चिन्ह आई एन डी/09/05/1069 समनुदेशित किया गया है, अनुमोदन प्रमाण-पत्र जारी और प्रकाशित करती है।



उक्त मॉडल विकृति गेज प्रकार का भार सेल आधारित अस्वचालित (प्लेटफार्म प्रकार) तोलन उपकरण है। इसकी अधिकतम क्षमता 1000 कि.ग्रा. और न्यूनतम क्षमता 5 कि. ग्राम है। सत्यापन मापमान अंतराल (ई) का मान 100 ग्राम है। इसमें एक आद्येतुलन युक्ति है जिसका शत प्रतिशत व्यवकलनात्मक धारित आद्येतुलन प्रभाव है। प्रकाश उत्सर्जक डायोड (एल ई डी) प्रदर्श परिणाम उपदर्शित करता है। उपकरण 230 वोल्ट और 50 हर्ट्ज प्रत्यावर्ती धारा विद्युत प्रदाय पर कार्य करता है।

स्टाम्पिंग प्लेट के मुद्रांकन के अतिरिक्त मशीन को कपटपूर्ण व्यवहारों के लिए खोलने से रोकने के लिए सीलबन्द भी किया जाएगा।

और केन्द्रीय सरकार उक्त अधिनियम की धारा 36 की उप-धारा (12) द्वारा प्रदत्त शक्तियों का प्रयोग करते हुए यह घोषणा करती है कि उक्त मॉडल के अनुमोदन के इस प्रमाण-पत्र के अंतर्गत उसी विनिर्माता द्वारा उसी सिद्धांत, डिजाइन के अनुसार और उसी सामग्री से, जिससे अनुमोदित मॉडल का विनिर्माण किया गया है, विनिर्मित उसी शृंखला के वैसे ही मेक, यथार्थता और कार्यपालन के तोलन उपकरण भी होंगे जो 100 मि. ग्राम या उससे अधिक के ‘ई’ मान के लिए 5,000 से 50,000 तक के रेंज में सत्यापन मापमान अंतराल (एन) और 50 कि. ग्राम से अधिक और 5,000 कि.ग्रा. तक की अधिकतम क्षमता वाले हैं और “ई” मान  $1 \times 10^*$ ,  $2 \times 10^*$  या  $5 \times 10^*$ , के हैं, जो धनात्मक या ऋणात्मक पूर्णांक या शून्य के समतुल्य हैं।

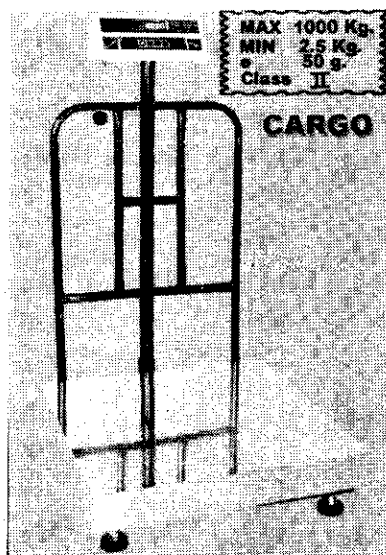
[फा. सं. डब्ल्यू एम-21(254)/2005]

पी. ए. कृष्णामूर्ति, निदेशक, विधिक माप विज्ञान

New Delhi, the 14th June, 2006

**S.O. 2589 .—**Whereas the Central Government, after considering the report submitted to it by the prescribed authority, is satisfied that the Model described in the said report (see the figure given below) is in conformity with the provisions of the Standards of Weights and Measures Act, 1976 (60 of 1976) and the Standards of Weights and Measures (Approval of Models) Rules, 1987 and the said Model is likely to maintain its accuracy over periods of sustained use and to render accurate service under varied conditions;

Now, therefore, in exercise of the powers conferred by sub-sections (7) and (8) of Section 36 of the said Act, the Central Government hereby issues and publishes the certificate of approval of Model of non-automatic weighing instrument (Platform type) with digital indication of 'CP' series of high accuracy (Accuracy class-II), and with brand name "CARGO" (herein after referred to as the said Model), manufactured by M/s. Cargo Weighing System, G-1891/C, G.I.D.C., Metoda, Rajkot, Gujarat and which is assigned the approval mark IND/09/05/1069;



The said Model is strain gauge type load cell based non-automatic weighing instrument (Platform type) with a maximum capacity of 1000 kg and minimum capacity of 5 kg. The verification scale interval (e) is 100g. It has a tare device with 100 per cent subtractive retained tare effect. The Light Emitting Diode (LED) indicates the weighing result. The instrument operates on 230 Volts and 50Hertz alternative current power supply.

In addition to sealing the stamping plate, sealing shall also be done to prevent the opening of the machine for fraudulent practices.

Further, in exercise of the powers conferred by sub-section (12) of Section 36 of the said Act, the Central Government hereby declares that this certificate of approval of the said Model shall also cover the weighing instruments of similar make, and performance of same series with maximum capacity ranging above 50 kg to 5,000 kg and with number of verification scale interval (n) in the range of 5,000 to 50,000 for 'e' value of 100 mg. or more and with 'e' value of  $1 \times 10^k$ ,  $2 \times 10^k$  or  $5 \times 10^k$ , k being a positive or negative whole number or equal to zero manufactured by the same manufacturer in accordance with the same principle, design, accuracy and with the same materials with which, the said approved Model has been manufactured.

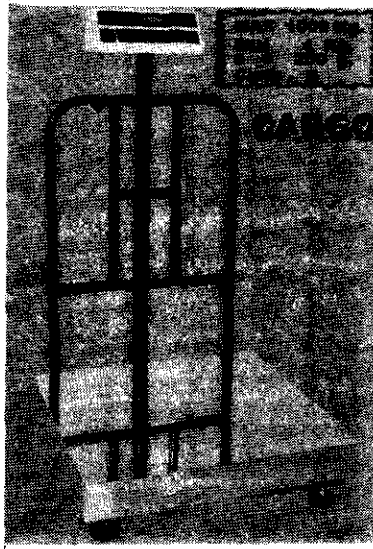
[F. No. WM-21(254)/2005]

P. A. KRISHNAMOORTHY, Director of Legal Metrology

नई दिल्ली, 14 जून, 2006

का. आ. 2590.—केन्द्रीय सरकार का, विहित प्राधिकारी द्वारा उसे प्रस्तुत रिपोर्ट पर विचार करने के पश्चात् यह समाधान हो गया है कि उक्त रिपोर्ट में वर्णित मॉडल (नीचे दी गई आकृति देखें) बाट और माप मानक अधिनियम, 1976 (1976 का 60) तथा बाट और माप मानक (मॉडलों का अनुमोदन) नियम, 1987 के उपबंधों के अनुरूप है और इस बात की संभावना है कि लगातार प्रयोग की अवधि में भी उक्त मॉडल यथार्थता बनाए रखेगा और विभिन्न परिस्थितियों में उपयुक्त सेवा प्रदान करता रहेगा;

अतः, अब, केन्द्रीय सरकार, उक्त अधिनियम की धारा 36 की उप-धारा (7) और (8) द्वारा प्रदत्त शक्तियों का प्रयोग करते हुए मैसर्स कार्गो वेइंग सिस्टम, जी-1891/सी, जी.आई.डी.सी., मेटोड, राजकोट, गुजरात, द्वारा निर्मित मध्यम यथार्थता (यथार्थता वर्ग-III) वाले "सी पी" श्रृंखला के अंकक सूचन सहित अस्वचालित तोलन उपकरण (प्लेटफार्म प्रकार) के मॉडल का, जिसके ब्रांड का नाम "कार्गो" है (जिसे इसमें इसके पश्चात् उक्त मॉडल कहा गया है) और जिसे अनुमोदन चिन्ह आई एन डी/09/05/1070 समनुदेशित किया गया है, अनुमोदन प्रमाण-पत्र जारी और प्रकाशित करती है।



उक्त मॉडल विकृति गेज प्रकार का भार सेल आधारित अस्वचालित (प्लेटफार्म प्रकार) तोलन उपकरण है। इसकी अधिकतम क्षमता 1000 कि. ग्रा. और न्यूनतम क्षमता 4 कि. ग्राम है। सत्यापन मापमान अंतराल (ई) का मान 200 ग्राम है। इसमें एक आधेयतुलन युक्ति है जिसका शत प्रतिशत व्यवकलनात्मक धारित आधेयतुलन प्रभाव है। प्रकाश उत्सर्जक डायोड (एल ई डी) प्रदर्श परिणाम उपदर्शित करता है। उपकरण 230 वोल्ट और 50 हर्ट्ज प्रत्यावर्ती धारा विद्युत प्रदाय पर कार्य करता है।

स्टाम्पिंग प्लेट के मुद्रांकन के अतिरिक्त मशीन को कपटपूर्ण व्यवहारों के लिए खोलने से रोकने के लिए सीलबन्द भी किया जाएगा।

और, केन्द्रीय सरकार उक्त अधिनियम की धारा 36 की उप-धारा (12) द्वारा प्रदत्त शक्तियों का प्रयोग करते हुए यह घोषणा करती है कि उक्त मॉडल के अनुमोदन के इस प्रमाण-पत्र के अंतर्गत उसी विनिर्माता द्वारा उसी सिद्धांत, डिजाइन के अनुसार और उसी सामग्री से, जिससे अनुमोदित मॉडल का निर्माण किया गया है, विनिर्मित उसी श्रृंखला के वैसे ही मेक, यथार्थता और कार्यपालन के तोलन उपकरण भी होंगे जो 5 ग्राम या उससे अधिक के 'ई' मान के लिए 500 से 10,000 तक की रेंज में सत्यापन मान अंतराल (एन) सहित 50 कि. ग्राम से अधिक और 5,000 कि. ग्रा. तक की अधिकतम क्षमता वाले हैं और "ई" मान  $1 \times 10^6$ ,  $2 \times 10^6$  या  $5 \times 10^6$ , के हैं, जो धनात्मक या ऋणात्मक पूर्णांक या शून्य के समतुल्य हैं।

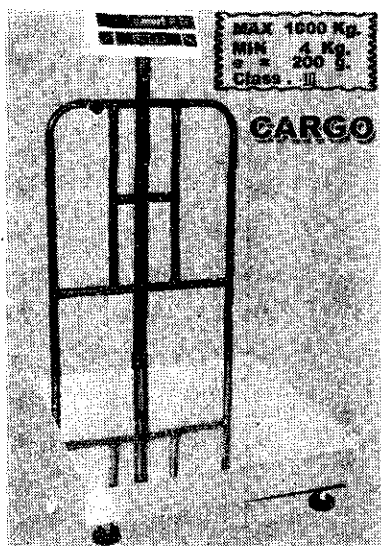
[फा. सं. डब्ल्यू एम-21(254)/2005]

पी. ए. कृष्णामूर्ति, निदेशक, विधिक माप विज्ञान

New Delhi, the 14th June, 2006

**S.O. 2590.**—Whereas the Central Government, after considering the report submitted to it by the prescribed authority, is satisfied that the model described in the said report (see the figure given below) is in conformity with the provisions of the Standards of Weights and Measures Act, 1976 (60 of 1976) and the Standards of Weights and Measures (Approval of Models) Rules, 1987 and the said model is likely to maintain its accuracy over periods of sustained use and to render accurate service under varied conditions;

Now, therefore, in exercise of the powers conferred by sub-sections (7) and (8) of Section 36 of the said Act, the Central Government hereby issues and publishes the certificate of approval of the model of the self indicating, non-automatic (Platform type) weighing instrument with digital indication of 'CP' series of medium accuracy (Accuracy class-III), and with brand name "CARGO" (herein after referred to as the said Model), manufactured by M/s. Cargo Weighing System, G-1891/C, G.I.D.C., Metoda, Rajkot, Gujarat and which is assigned the approval mark IND/09/05/1070;



The said model is a strain gauge type load cell based weighing instrument with a maximum capacity of 1000 kg. and minimum capacity of 4 kg. The verification scale interval (e) is 200g. It has a tare device with 100 per cent subtractive retained tare effect. The Light Emitting Diode (LED) display indicates the weighing result. The instrument operates on 230 Volts and 50Hertz alternative current power supply.

In addition to sealing the stamping plate, sealing shall also be done to prevent the opening of the machine for fraudulent practices.

Further, in exercise of the powers conferred by sub-section (12) of Section 36 of the said Act, the Central Government hereby declares that this certificate of approval of the said model shall also cover the weighing instruments of same series with maximum capacity above 50 kg. and the 5000 kg. and with number of verification scale interval (n) in the range of 500 to 10,000 for 'e' value of 5g. or more and with 'e' value of  $1 \times 10^k$ ,  $2 \times 10^k$  or  $5 \times 10^k$ , k being a positive or negative whole number or equal to zero manufactured by the same manufacturer in accordance with the same principle, design and with the same materials with which, the said approved Model has been manufactured.

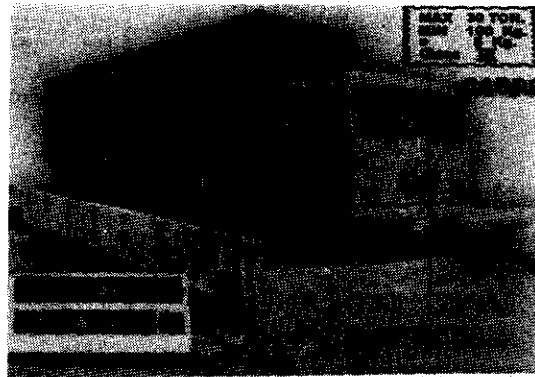
[F. No. WM-21(254)/2005]

P. A. KRISHNAMOORTHY, Director of Legal Metrology

नई दिल्ली, 14 जून, 2006

का.आ. 2591.—केन्द्रीय सरकार का, विहित प्राधिकारी द्वारा उसे प्रस्तुत रिपोर्ट पर विचार करने के पश्चात् यह समाधान हो गया है कि उक्त रिपोर्ट में वर्णित मॉडल (नीचे दी गई आकृति देखें) बाट और माप मानक अधिनियम, 1976 (1976 का 60) तथा बाट और माप मानक (मॉडलों का अनुमोदन) नियम, 1987 के उपबंधों के अनुरूप है और इस बात की संभावना है कि लगातार प्रयोग की अवधि में भी उक्त मॉडल यथार्थता बनाए रखेगा और विभिन्न परिस्थितियों में उपयुक्त सेवा प्रदान करता रहेगा;

अतः, अब, केन्द्रीय सरकार, उक्त अधिनियम की धारा 36 की उप-धारा (7) और (8) द्वारा प्रदत्त शक्तियों का प्रयोग करते हुए मैसर्स कार्गो वेइंग सिस्टम, जी-1891/सी, जी.आई.डी.सी., मेटोडा, राजकोट, गुजरात, द्वारा निर्मित मध्यम यथार्थता (यथार्थता वर्ग-III) वाले "सी डब्ल्यू" शृंखला के अंकक सूचन सहित अस्वचालित तोलन उपकरण (वे ब्रिज प्रकार) के मॉडल का, जिसके ब्रांड का नाम "कार्गो" है (जिसे इसमें इसके पश्चात् उक्त मॉडल कहा गया है) और जिसे अनुमोदन चिह्न आई एन डी/09/2005/1071 समनुदेशित किया गया है, अनुमोदन प्रमाण-पत्र जारी और प्रकाशित करती है।



उक्त मॉडल विकृति गेज प्रकार का भार सेल आधारित अस्वचालित (वे ब्रिज) तोलन उपकरण है। इसकी अधिकतम क्षमता 30 टन और न्यूनतम क्षमता 100 कि. ग्राम है। सत्यापन मापमान अंतराल (ई) का मान 5 कि. ग्राम है। इसमें एक आधेयतुलन युक्ति है जिसका शत प्रतिशत व्यवकलनात्मक धारित आधेयतुलन प्रभाव है। प्रकाश उत्सर्जक डायोड (एल ई डी) प्रदर्श तोलन परिणाम उपदर्शित करता है। उपकरण 230 वोल्ट और 50 हर्ट्ज प्रत्यावर्ती धारा विद्युत प्रदाय पर कार्य करता है।

स्टाम्पिंग प्लेट के मुद्रांकन के अतिरिक्त मशीन को कपटपूर्ण व्यवहारों के लिए खोलने से रोकने के लिए सीलबन्द भी किया जाएगा।

और केन्द्रीय सरकार उक्त अधिनियम की धारा 36 की उप-धारा (12) द्वारा प्रदत्त शक्तियों का प्रयोग करते हुए यह घोषणा करती है कि उक्त मॉडल के अनुमोदन के इस प्रमाण-पत्र के अंतर्गत उसी विनिर्माता द्वारा उसी सिद्धांत, डिजाइन के अनुसार और उसी सामग्री से, जिससे अनुमोदित मॉडल का निर्माण किया गया है, विनिर्मित उसी शृंखला के वैसे ही मेक, यथार्थता और कार्यपालन के तोलन उपकरण भी होंगे जो 5 कि.ग्राम या उससे अधिक के 'ई' मान के लिए 500 से 10,000 तक की रेंज में सत्यापन मापमान अंतराल (एन) सहित 5 टन से अधिक और 100 टन तक की अधिकतम क्षमता वाले हैं और "ई" मान  $1 \times 10^*$ ,  $2 \times 10^*$  या  $5 \times 10^*$  के हैं, जो घनात्मक या ऋणात्मक पूर्णांक या शून्य के समतुल्य हैं।

[फा. सं. डब्ल्यू एम-21(254)/2005]

पी. ए. कृष्णामूर्ति, निदेशक, विधिक माप विज्ञान

New Delhi, the 14th June, 2006

**S.O. 2591.**—Whereas the Central Government, after considering the report submitted to it by the prescribed authority, is satisfied that the Model described in the said report (see the figure given below) is in conformity with the provisions of the Standards of Weights and Measures Act, 1976 (60 of 1976) and the Standards of Weights and Measures (Approval of Models) Rules, 1987 and the said Model is likely to maintain its accuracy over periods of sustained use and to render accurate service under varied conditions;

Now, therefore, in exercise of the powers conferred by sub-sections (7) and (8) of Section 36 of the said Act, the Central Government hereby issues and publishes the certificate of approval of Model of non-automatic weighing instrument (Weighbridge type) with digital indication belonging to medium accuracy (Accuracy class-III), of "CW" series with brand name "CARGO" (hereinafter referred to as the said Model), manufactured by M/s. Cargo Weighing System, G-1891/C, GIDC, Metoda, Rajkot, Gujarat and which is assigned the approval mark IND/09/2005/1071;



The said Model is a non-automatic weighing instrument (weighbridge with a maximum capacity of 30 tonne and minimum capacity of 100 kg. The verification scale interval (e) is 5 kg. It has a tare device with a 100 per cent subtractive retained tare effect. The Light Emitting Diode (LED) indicates the weighing result. The instrument operates on 230 Volts and 50Hertz alternate current power supply. The load cell is of strain gauge type.

In addition to sealing the stamping plate, sealing shall also be done to prevent the opening of the machine for fraudulent practices.

Further, in exercise of the powers conferred by sub-section (12) of Section 36 of the said Act, the Central Government hereby declares that this certificate of approval of the said Model shall also cover the weighing instrument of similar make, accuracy and performance of same series with maximum capacity above 5 tonne and up to 100 tonne with verification scale interval (n) in the range of 500 to 10,000 for 'e' value of 5 kg. or more and with 'e' value of  $1 \times 10^k$ ,  $2 \times 10^k$  or  $5 \times 10^k$ , k being a positive or negative whole number or equal to zero manufactured by the same manufacturer in accordance with the same principle, design and with the same materials with which, the said approved Model has been manufactured.

[F. No. WM-21(254)/2005]

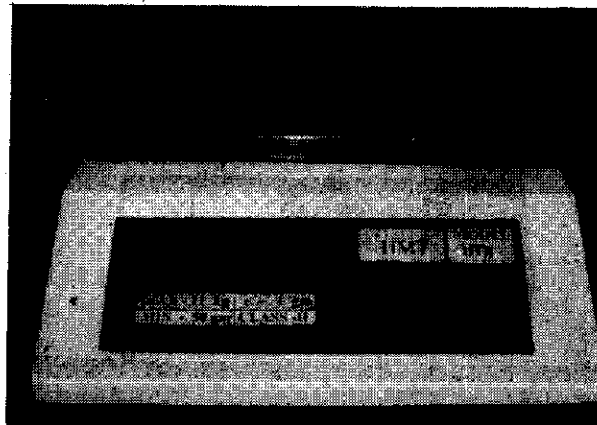
P. A. KRISHNAMOORTHY, Director of Legal Metrology

नई दिल्ली, 14 जून, 2006

**क्र.आ. 2592.**—केन्द्रीय सरकार का, विहित प्राधिकारी द्वारा उसे प्रस्तुत रिपोर्ट पर विचार करने के पश्चात् यह समाधान हो गया है कि उक्त रिपोर्ट में वर्णित मॉडल (नीचे दी गई आकृति देखें) बाट और माप मानक अधिनियम, 1976 (1976 का 60) तथा बाट और माप मानक (मॉडलों का अनुमोदन) नियम, 1987 के उपबंधों के अनुरूप है और इस बात की संभावना है कि लगातार प्रयोग की अवधि में भी उक्त मॉडल यथार्थता बनाए रखेगा और विभिन्न परिस्थितियों में उपयुक्त सेवा प्रदान करता रहेगा;

अतः, अब, केन्द्रीय सरकार, उक्त अधिनियम की धारा 36 की उप-धारा (7) और (8) द्वारा प्रदत्त शक्तियों का प्रयोग करते हुए मैसर्स हिम्मतनगर स्केल मैन्यूफैक्चरिंग कम्पनी, 94-95, जी आई डी सी एस्टेट, मोतीपुरा, हिम्मतनगर-383001, गुजरात द्वारा विनिर्मित उच्च यथार्थता (यथार्थता वर्ग-II) वाले "एच टी बी" शृंखला के अंकक सूचन सहित अस्वचालित तोलन उपकरण (टेबल टॉप प्रकार) के मॉडल का, जिसके ब्रांड का नाम "एच एम टी" है (जिसे इसमें इसके पश्चात् उक्त मॉडल कहा गया है) और जिसे अनुमोदन चिन्ह आई एन डी/09/06/300 समनुदेशित किया गया है, अनुमोदन प्रमाण-पत्र जारी और प्रकाशित करती है।

उक्त मॉडल एक विकृति गेज प्रकार का भार सेल आधारित अस्वचालित तोलन उपकरण (टेबल टॉप प्रकार) का है। इसकी अधिकतम क्षमता 11 कि.ग्रा. और न्यूनतम क्षमता 50 ग्रा. है। सत्यापन मापमान अंतराल (ई) का मान 1 ग्रा. है। इसमें एक आधेयतुलन युक्ति है जिसका शत प्रतिशत व्यवकलनात्मक धारित आधेयतुलन प्रभाव है। प्रकाश उत्सर्जक डायोड (एल ई डी) प्रदर्श तोलन परिणाम उपदर्शित करता है। उपकरण 230 वोल्ट और 50 हर्ट्ज प्रत्यावर्ती धारा विद्युत प्रदाय पर कार्य करता है।



स्टाम्पिंग प्लेट के मुद्रांकन के अतिरिक्त मशीन को कपटपूर्ण व्यवहारों के लिए खोलने से रोकने के लिए सीलबन्द भी किया जाएगा और मॉडल को उसकी सामग्री, यथार्थता, डिजाइन, सर्किट डायग्राम, कार्यकारी सिद्धान्त आदि की शर्तों पर भारत में बिक्री से पहले या बाद में परिवर्तित नहीं किया जाएगा।

और केन्द्रीय सरकार उक्त अधिनियम की धारा 36 की उप-धारा (12) द्वारा प्रदत्त शक्तियों का प्रयोग करते हुए यह घोषणा करती है कि उक्त मॉडल के अनुमोदन के इस प्रमाण-पत्र के अंतर्गत उसी विनिर्माता द्वारा उसी सिद्धान्त, डिजाइन के अनुसार और उसी सामग्री से, जिससे अनुमोदित मॉडल का निर्माण किया गया है, विनिर्मित उसी शृंखला के वैसे ही मेक, यथार्थता और कार्यपालन के तोलन उपकरण भी होंगे जो 1 मि. ग्रा. से 50 मि. ग्रा. तक 'ई' मान के लिए 100 से 5,000 तक के रेंज में सत्यापन मापमान (एन) और 100 मि. ग्रा. या उससे अधिक के 'ई' मान के लिए 500 से 50,000 तक की रेंज में सत्यापन मान अंतराल सहित 50 कि.ग्रा. तक की अधिकतम क्षमता वाले हैं और 'ई' मान  $1 \times 10^{-6}$ ,  $2 \times 10^{-6}$  या  $5 \times 10^{-6}$  के हैं, जो धनात्मक या ऋणात्मक पूर्णांक या शून्य के समतुल्य हैं।

[फा. सं. डब्ल्यू एम-21(259)/2002]

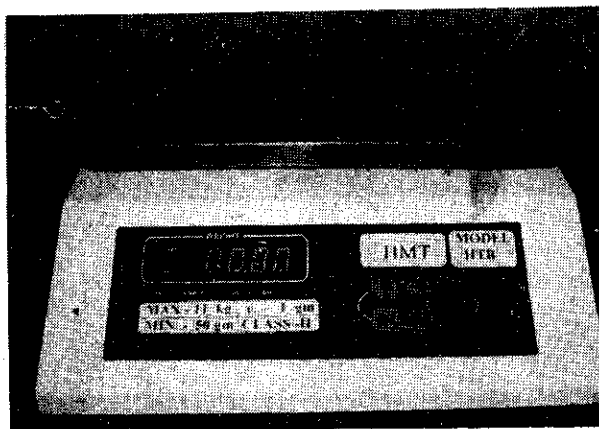
पी. ए. कृष्णामूर्ति, निदेशक, विधिक माप विज्ञान

New Delhi, the 14th June, 2006

**S.O. 2592.**—Whereas the Central Government, after considering the report submitted to it by the prescribed authority, is satisfied that the Model described in the said report (see the figure given below) is in conformity with the provisions of the Standards of Weights and Measures Act, 1976 (60 of 1976) and the Standards of Weights and Measures (Approval of Models) Rules, 1987 and the said Model is likely to maintain its accuracy over periods of sustained use and to render accurate service under varied conditions;

Now, therefore, in exercise of the powers conferred by sub-sections (7) and (8) of Section 36 of the said Act, the Central Government hereby issues and publishes the certificate of approval of the model of non-automatic weighing Instrument (Table Top type) with digital indication of "HTB" series of high accuracy (Accuracy class-II) and with brand name "HMT" (hereinafter referred to as the said Model), manufactured by M/s. Himatnagar Scale Mfg. Co., 94-95, G.I.D.C. Estate, Motipura Himatnagar-383001, Gujarat and which is assigned the approval mark IND/09/06/300;

The said Model is a strain gauge type load cell based non-automatic weighing instrument (Table top type) with a maximum capacity of 11 kg. and minimum capacity of 50g. The verification scale interval (e) is 1g. It has a tare device with a 100 per cent subtractive retained tare effect. The Light Emitting Diode (LED) indicates the weighing result. The instrument operates on 230 Volts and 50 Hertz alternative current power supply;



In addition to sealing the stamping plate sealing shall also be done to prevent the opening of the machine for fraudulent practices. The said model shall not be changed in terms of its material, accuracy, design, circuit diagram, working principle etc. or alteration of any other type before or after sales in India.

Further, in exercise of the powers conferred by sub-section (12) of Section 36 of the said Act, the Central Government hereby declares that this certificate of approval of the said Model shall also cover the weighing instrument of similar make and performance of same series with maximum capacity up to 50 kg. and with number of verification scale interval (n) in the range of 100 to 5000 for 'e' value of 1mg. to 50mg and with number of verification scale interval (n) in the range of 5000 to 50,000 for 'e' value of 100mg. or more and with 'e' value of  $1 \times 10^k$ ,  $2 \times 10^k$  or  $5 \times 10^k$ , k being the positive or negative whole number or equal to zero manufactured by the same manufacturer in accordance with the same principle, design and with the same materials with which, the said approved Model has been manufactured.

[F. No. WM-21(259)/2002]

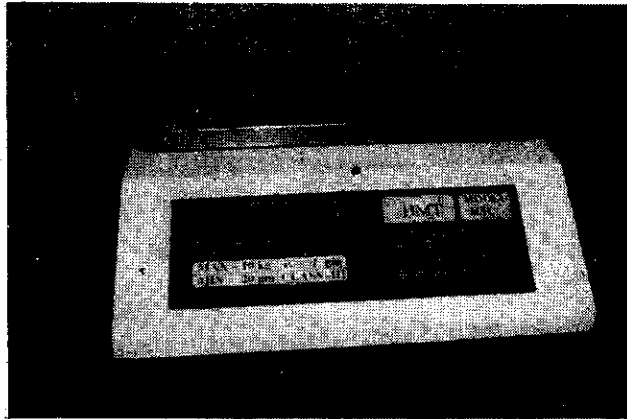
P. A. KRISHNAMOORTHY, Director of Legal Metrology

नई दिल्ली, 14 जून, 2006

का. आ. 2593.—केन्द्रीय सरकार का, विहित प्राधिकारी द्वारा उसे प्रस्तुत रिपोर्ट पर विचार करने के पश्चात् यह समाधान हो गया है कि उक्त रिपोर्ट में वर्णित मॉडल (नीचे दी गई आकृति देखें) बाट और माप मानक अधिनियम, 1976 (1976 का 60) तथा बाट और माप मानक (मॉडलों का अनुमोदन) नियम, 1987 के उपबंधों के अनुरूप है और इस बात की संभावना है कि लगातार प्रयोग की अवधि में भी उक्त मॉडल यथार्थता बनाए रखेगा और विभिन्न परिस्थितियों में उपयुक्त सेवा प्रदान करता रहेगा;

अतः, अब, केन्द्रीय सरकार, उक्त अधिनियम की धारा 36 की उप-धारा (7) और (8) द्वारा प्रदत्त शक्तियों का प्रयोग करते हुए मैसर्स हिम्मतनगर स्केल मैन्यूफैक्चरिंग कम्पनी, 94-95, जी आई डी सी एस्टेट, मोतीपुरा, हिम्मतनगर-383001, गुजरात द्वारा विनिर्मित मध्यम यथार्थता (यथार्थता वर्ग-III) वाले “एच टी सी” शृंखला के अंकक सूचन सहित अस्वचालित तोलन उपकरण (टेबल टॉप प्रकार) के मॉडल का, जिसके ब्रांड का नाम “एच एम टी” है (जिसे इसमें इसके पश्चात् उक्त मॉडल कहा गया है) और जिसे अनुमोदन चिन्ह आई एन डी/09/06/301 समनुदेशित किया गया है, अनुमोदन प्रमाण-पत्र जारी और प्रकाशित करती है।

उक्त मॉडल एक विकृति गेज प्रकार का भार सेल आधारित अस्वचालित तोलन उपकरण (टेबल टॉप प्रकार का) है। इसकी अधिकतम क्षमता 10 कि.ग्रा. और न्यूनतम क्षमता 20 ग्रा. है। सत्यापन मापमान अंतराल (ई) का मान 1 ग्रा. है। इसमें एक आधेयतुलन युक्ति है जिसका शत प्रतिशत व्यवकलनात्मक धारित आधेयतुलन प्रभाव है। प्रकाश उत्सर्जक डायोड (एल ई डी) प्रदर्श तोलन परिणाम उपदर्शित करता है। उपकरण 230 वोल्ट और 50 हर्ट्ज प्रत्यावर्ती धारा विद्युत प्रदाय पर कार्य करता है।



स्टाम्पिंग प्लेट के मुद्रांकन के अतिरिक्त मशीन को कपटपूर्ण व्यवहारों के लिए खोलने से रोकने के लिए सीलबन्द भी किया जाएगा और मॉडल को उसकी सामग्री, यथार्थता, डिजाइन, सर्किट डायग्राम, कार्यकारी सिद्धान्त आदि की शर्तों पर भारत में बिक्री से पहले या बाद में परिवर्तित नहीं किया जाएगा।

और केन्द्रीय सरकार उक्त अधिनियम की धारा 36 की उप-धारा (12) द्वारा प्रदत्त शक्तियों का प्रयोग करते हुए यह घोषणा करती है कि उक्त मॉडल के अनुमोदन के इस प्रमाण-पत्र के अंतर्गत उसी विनिर्माता द्वारा उसी सिद्धान्त, डिजाइन के अनुसार और उसी सामग्री से, जिससे अनुमोदित मॉडल का निर्माण किया गया है, विनिर्मित उसी शृंखला के वैसे ही मेक, यथार्थता और कार्यपालन के तोलन उपकरण भी होंगे जो 100 मि. ग्रा. से 2 ग्रा. तक ‘ई’ मान के लिए 100 से 10,000 तक के रेंज में सत्यापन मापमान अंतराल (एन) और 5 ग्रा. या उससे अधिक के ‘ई’ मान के लिए 500 से 10,000 तक की रेंज में सत्यापन मान सहित 50 कि.ग्रा. तक की अधिकतम क्षमता वाले हैं और “ई” मान  $1 \times 10^{-6}$ ,  $2 \times 10^{-6}$  या  $5 \times 10^{-6}$ , के हैं, जो धनात्मक या ऋणात्मक पूर्णांक या शून्य के समतुल्य हैं।

[फा. सं. डब्ल्यू एम-21(259)/2002]

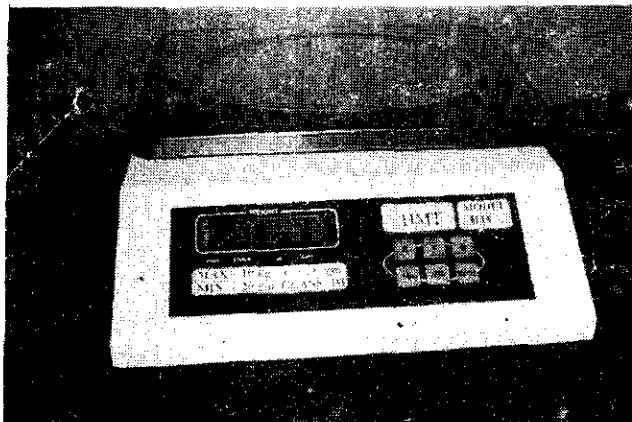
पी. ए. कृष्णामूर्ति, निदेशक, विधिक माप विज्ञान

New Delhi, the 14th June, 2006

**S.O. 2593.**—Whereas the Central Government, after considering the report submitted to it by the prescribed authority, is satisfied that the Model described in the said report (see the figure given below) is in conformity with the provisions of the Standards of Weights and Measures Act, 1976 (60 of 1976) and the Standards of Weights and Measures (Approval of Models) Rules, 1987 and the said Model is likely to maintain its accuracy over periods of sustained use and to render accurate service under varied conditions;

Now, therefore, in exercise of the powers conferred by sub-sections (7) and (8) of Section 36 of the said Act, the Central Government hereby issues and publishes the certificate of approval of the model of non-automatic (Table Top type) weighing Instrument with digital indication of “HTC” series of medium accuracy (Accuracy class-III) and with brand name “HMT” (herein after referred to as the said Model), manufactured by M/s. Himatnagar Scale Mfg. Co., 94-95, G.I.D.C. Estate, Motipura Himatnagar-383001, Gujarat and which is assigned the approval mark IND/09/06/301;

The said Model is a strain gauge type load cell based non-automatic weighing instrument (Table top type) with a maximum capacity of 10 kg and minimum capacity of 20g. The verification scale interval (e) is 1g. It has a tare device with a 100 per cent subtractive retained tare effect. The Light Emitting Diode (LED) indicates the weighing result. The instrument operates on 230 Volts, 50 Hertz alternative current power supply;



In addition to sealing the stamping plate sealing shall also be done to prevent the opening of the machine for fraudulent practices. The said model shall not be changed in terms of its material, accuracy, design, circuit diagram, working principle etc. or alteration of any other type before or after sales in India.

Further, in exercise of the powers conferred by sub-section (12) of Section 36 of the said Act, the Central Government hereby declares that this certificate of approval of the said Model shall also cover the weighing instrument of similar make, accuracy and performance of same series with maximum capacity up to 50 kg with verification scale interval (n) in the range of 100 to 10000 for 'e' value of 100mg to 2g or with verification scale interval (n) in the range of 500 to 10,000 for 'e' value of 5g or more and with 'e' value of  $1 \times 10^k$ ,  $2 \times 10^k$  or  $5 \times 10^k$ , k being a positive or negative whole number or equal to zero manufactured by the same manufacturer in accordance with the same principle, design and with the same materials with which, the said approved Model has been manufactured.

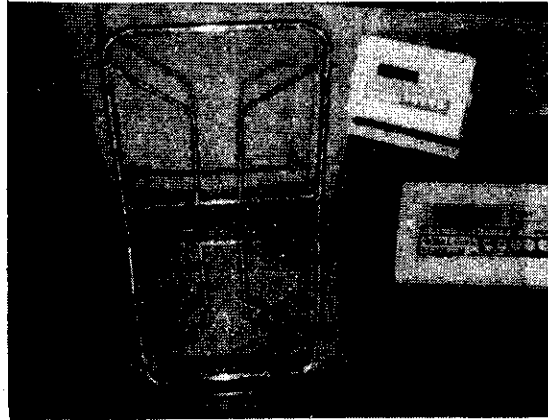
[F. No. WM-21(259)/2002]

P. A. KRISHNAMOORTHY, Director of Legal Metrology

नई दिल्ली, 14 जून, 2006

का. आ. 2594.—केन्द्रीय सरकार का, विहित प्राधिकारी द्वारा उसे प्रस्तुत रिपोर्ट पर विचार करने के पश्चात् यह समाधान हो गया है कि उक्त रिपोर्ट में वर्णित मॉडल (नीचे दी गई आकृति देखें) बाट और माप मानक अधिनियम, 1976 (1976 का 60) तथा बाट और माप मानक (मॉडलों का अनुमोदन) नियम, 1987 के उपबंधों के अनुरूप है और इस बात की संभावना है कि लगातार प्रयोग की अवधि में भी उक्त मॉडल यथार्थता बनाए रखेगा और विभिन्न परिस्थितियों में उपयुक्त सेवा प्रदान करता रहेगा;

अतः, अब, केन्द्रीय सरकार, उक्त अधिनियम की धारा 36 की उप-धारा (7) और (8) द्वारा प्रदत्त शक्तियों का प्रयोग करते हुए मैसर्स हिम्मतनगर स्केल मैन्यूफैक्चरिंग कम्पनी, 94-95, जी आई डी सी एस्टेट, मोतीपुरा, हिम्मतनगर-383001, गुजरात द्वारा विनिर्मित उच्च यथार्थता (यथार्थता वर्ग-II) वाले “एच पी बी” शृंखला के अंकक सूचन सहित, अस्वचालित तोलन उपकरण (प्लेटफार्म प्रकार) के मॉडल का, जिसके ब्रांड का नाम “एच एम टी” है (जिसे इसमें इसके पश्चात् उक्त मॉडल कहा गया है) और जिसे अनुमोदन चिह्न आई एन डी/09/06/302 समनुदेशित किया गया है, अनुमोदन प्रमाण-पत्र जारी और प्रकाशित करती है;



उक्त मॉडल एक विकृति गेज प्रकार का भार सेल आधारित अस्वचालित (प्लेटफार्म प्रकार) तोलन उपकरण है। इसकी अधिकतम क्षमता 550 कि.ग्रा. है और न्यूनतम क्षमता 2.5 कि. ग्राम है। सत्यापन मापमान अन्तराल (ई) का मान 50 ग्राम है इसमें एक आधेयतुलन युक्ति है जिसका शत प्रतिशत व्यवकलनात्मक धारित आधेयतुलन प्रभाव है। प्रकाश उत्सर्जक डायोड (एल ई डी) प्रदर्श तोलन परिणाम उपदर्शित करता है। उपकरण 230 वोल्ट और 50 हर्ट्ज प्रत्यावर्ती धारा विद्युत प्रदाय पर कार्य करता है।

स्टाम्पिंग प्लेट के मुद्रांकन के अतिरिक्त मशीन को कपटपूर्ण व्यवहारों के लिए खोलने से रोकने के लिए सीलबन्द भी किया जाएगा और मॉडल को उसकी सामग्री, यथार्थता, डिजाइन, सर्किट डायग्राम, कार्यकारी सिद्धांत आदि की शर्तों पर भारत में बिक्री से पहले या बाद में परिवर्तित नहीं किया जाएगा।

और, केन्द्रीय सरकार, उक्त अधिनियम की धारा 36 की उप-धारा (12) द्वारा प्रदत्त शक्तियों का प्रयोग करते हुए यह घोषणा करती है कि उक्त मॉडल के अनुमोदन के इस प्रमाण-पत्र के अंतर्गत उसी विनिर्माता द्वारा उसी सिद्धांत, डिजाइन के अनुसार और उसी सामग्री से जिससे अनुमोदित मॉडल का निर्माण किया गया है, विनिर्मित उसी शृंखला के वैसे ही मेक, यथार्थता और कार्यपालन के तोलन उपकरण भी होंगे जो 100 मि. ग्रा. या उससे अधिक के “ई” मान के लिए 5,000 से 50,000 तक की रेंज में सत्यापन मान सहित 50 कि. ग्राम से अधिक और 1,000 कि.ग्रा. तक की अधिकतम क्षमता वाले हैं और “ई” मान  $1 \times 10^*$ ,  $2 \times 10^*$  या  $5 \times 10^*$ , के हैं, जो धनात्मक या ऋणात्मक पूर्णांक या शून्य के समतुल्य हैं।

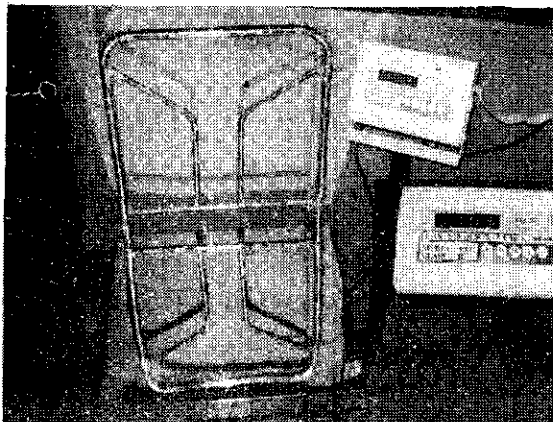
[फा. सं. डब्ल्यू एम-21(259)/2002]

पी. ए. कृष्णामूर्ति, निदेशक, विधिक माप विज्ञान

New Delhi, the 14th June, 2006

**S.O. 2594.**—Whereas the Central Government, after considering the report submitted to it by the prescribed authority, is satisfied that the Model described in the said report (see the figure given below) is in conformity with the provisions of the Standards of Weights and Measures Act, 1976 (60 of 1976) and the Standards of Weights and Measures (Approval of Models) Rules, 1987 and the said Model is likely to maintain its accuracy over periods of sustained use and to render accurate service under varied conditions;

Now, therefore, in exercise of the powers conferred by Sub-sections (7) and (8) of Section 36 of the said Act, the Central Government hereby issues and publishes the certificate of approval of the Model of non-automatic weighing instrument (Platform type) with digital indication of “HPB” series of high accuracy (Accuracy class-II) and with brand name “HMT” (hereinafter referred to as the said Model), manufactured by M/s. Himatnagar Scale Mfg. Co., 94-95, G.I.D.C. Estate, Motipura, Himatnagar-383 001, Gujarat and which is assigned the approval mark IND/09/06/302;



The said Model is a strain gauge type load cell based non-automatic weighing instrument (Platform type) with a maximum capacity of 550kg. and minimum capacity of 2.5kg. The verification scale interval (e) is 50g. It has a tare device with a 100 per cent subtractive retained tare effect. The Light Emitting Diode (LED) indicates the weighing result. The instrument operates on 230 Volts and 50 Hertz alternate current power supply.

In addition to sealing the stamping plate, sealing shall also be done to prevent the opening of the machine for fraudulent practices. The said Model shall not be changed in terms of its material, accuracy, design, circuit diagram, working principle, etc or alteration of any other type before or after sales in India.

Further, in exercise of the powers conferred by sub-section (12) of Section 36 of the said Act, the Central Government hereby declares that this certificate of approval of the said Model shall also cover the weighing instrument of similar make and performance of same series with maximum capacity ranging above 50 kg. to 1000 kg. and with number of verification scale interval (n) in the range of 5000 to 50,000 for ‘e’ value of 100mg. or more and with ‘e’ value of  $1 \times 10^k$ ,  $2 \times 10^k$  or  $5 \times 10^k$ , k being the positive or negative whole number or equal to zero manufactured by the same manufacturer in accordance with the same principle, design, accuracy and with the same materials with which, the said approved Model has been manufactured.

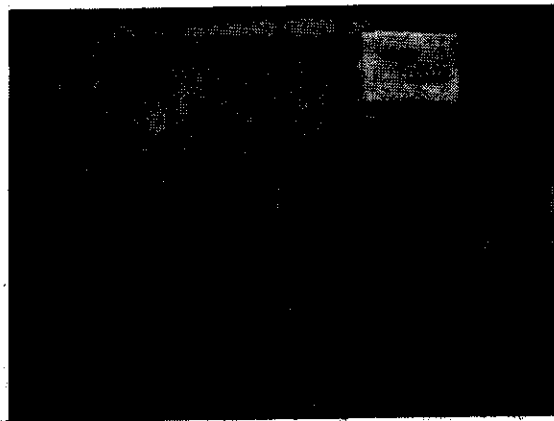
[F. No. WM-21(259)/2002]

P. A. KRISHNAMOORTHY, Director of Legal Metrology

नई दिल्ली, 14 जून, 2006

**का. आ. 2595.**—केन्द्रीय सरकार का, विहित प्राधिकारी द्वारा उसे प्रस्तुत रिपोर्ट पर विचार करने के पश्चात् यह समाधान हो गया है कि उक्त रिपोर्ट में वर्णित मॉडल (नीचे दी गई आकृति देखें) बाट और माप मानक अधिनियम, 1976 (1976 का 60) तथा बाट और माप मानक (मॉडलों का अनुमोदन) नियम, 1987 के उपबंधों के अनुरूप है और इस बात की संभावना है कि लगातार प्रयोग की अवधि में भी उक्त मॉडल यथार्थता बनाए रखेगा और विभिन्न परिस्थितियों में उपयुक्त सेवा प्रदान करता रहेगा;

अतः, अब, केन्द्रीय सरकार, उक्त अधिनियम की धारा 36 की उप-धारा (7) और (8) द्वारा प्रदत्त शक्तियों का प्रयोग करते हुए मैसर्स हिम्मतनगर स्केल मैन्यूफैक्चरिंग कम्पनी, 94-95, जी आई डी सी एस्टेट, मोतीपुरा, हिम्मतनगर-383001, गुजरात द्वारा विनिर्मित मध्यम यथार्थता (यथार्थता वर्ग-III) वाले “एच पी सी” शृंखला के अंकक सूचन सहित, अस्वचालित तोलन उपकरण (प्लेटफार्म प्रकार) के मॉडल का, जिसके ब्रांड का नाम “एच एम टी” है (जिसे इसमें इसके पश्चात् उक्त मॉडल कहा गया है) और जिसे अनुमोदन चिह्न आई एन डी/09/06/303 समनुदेशित किया गया है, अनुमोदन प्रमाण-पत्र जारी और प्रकाशित करती है।



उक्त मॉडल एक अस्वचालित तोलन उपकरण है। इसकी अधिकतम क्षमता 1000 कि.ग्रा. है और न्यूनतम क्षमता 4 कि. ग्राम है। सत्यापन मापमान अन्तराल (ई) का मान 200 ग्रा. है। इसमें एक आधेयतुलन युक्ति है जिसका शत प्रतिशत व्यवकलनात्मक धारित आधेयतुलन प्रभाव है। प्रकाश उत्सर्जक डायोड (एल ई डी) प्रदर्श तोलन परिणाम उपदर्शित करता है। उपकरण 230 वोल्ट, 50 हर्ट्ज प्रत्यावर्ती धारा विद्युत प्रदाय पर कार्य करता है।

स्टॉपिंग प्लेट के मुद्रांकन के अतिरिक्त मशीन को कपटपूर्ण व्यवहारों के लिए खोलने से रोकने के लिए सीलबन्द भी किया जाएगा और मॉडल को उसकी सामग्री, यथार्थता, डिजाइन, सर्किट डायग्राम, कार्यकारी सिद्धांत आदि की शर्तों पर भारत में बिक्री से पहले या बाद में परिवर्तित नहीं किया जाएगा।

और, केन्द्रीय सरकार, उक्त अधिनियम की धारा 36 की उप-धारा (12) द्वारा प्रदत्त शक्तियों का प्रयोग करते हुए यह घोषणा करती है कि उक्त मॉडल के अनुमोदन के इस प्रमाण-पत्र के अंतर्गत उसी विनिर्माता द्वारा उसी सिद्धांत, डिजाइन के अनुसार और उसी सामग्री से जिससे अनुमोदित मॉडल का निर्माण किया गया है, विनिर्मित उसी शृंखला के वैसे ही मेक, यथार्थता और कार्यपालन के तोलन उपकरण भी होंगे जो 5 ग्रा. या उससे अधिक के “ई” मान के लिए 500 से 10,000 तक के रेंज में सत्यापन मान सहित 50 कि. ग्राम से अधिक और 5,000 कि.ग्रा. तक की अधिकतम क्षमता वाले हैं और “ई” मान  $1 \times 10^3$ ,  $2 \times 10^3$  या  $5 \times 10^3$ , के हैं, जो धनात्मक या ऋणात्मक पूर्णांक या शून्य के समतुल्य हैं।

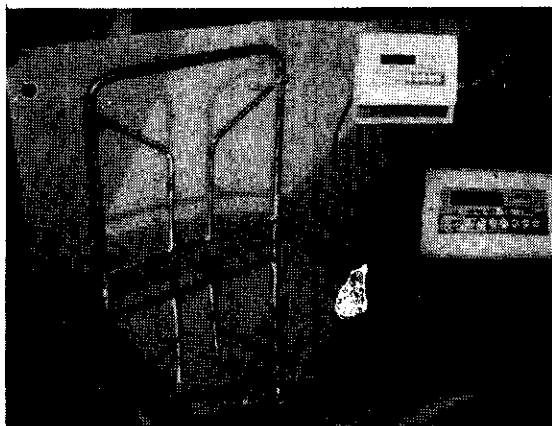
[फा. सं. डब्ल्यू एम-21(259)/2002]

पी. ए. कृष्णामूर्ति, निदेशक, विधिक माप विज्ञान

New Delhi, the 14th June, 2006

**S.O. 2595.**—Whereas the Central Government, after considering the report submitted to it by the prescribed authority, is satisfied that the model described in the said report (See the figure given below) is in conformity with the provisions of the Standards of Weights and Measures Act, 1976 (60 of 1976) and the Standards of Weights and Measures (Approval of Model) Rules, 1987 and the said model is likely to maintain its accuracy over periods of sustained use and to render accurate service under varied conditions;

Now, therefore, in exercise of the powers conferred by sub-sections (7) and (8) of Section 36 of the said Act, the Central Government hereby issues and publishes the certificate of approval of the model of the self indicating, non-automatic (Platform type) weighing instrument with digital indication of "HPC" series of medium accuracy (Accuracy class-III) and with brand name "HMT" (hereinafter referred to as the said model), manufactured by M/s. Himatnagar Scale Mfg. Co., 94-95, G.I.D.C. Estate, Motipura Himatnagar-383 001, Gujarat and which is assigned the approval mark IND/09/06/303;



The said model is a strain gauge type load cell based weighing instrument with a maximum capacity of 1000kg. and minimum capacity of 4kg. The verification scale interval (e) is 200g. It has a tare device with a 100 per cent subtractive retained tare effect. The Light Emitting Diode (LED) indicates the weighing result. The instrument operates on 230 Volts, 50 Hertz alternate current power supply.

In addition to sealing the stamping plate, sealing shall also be done to prevent the opening of the machine for fraudulent practices. The said model shall not be changed in terms of its material, accuracy, design, circuit diagram, working principle, etc or alteration of any other type before or after sales in India.

Further, in exercise of the power conferred by sub-section (12) of Section 36 of the said Act, the Central Government hereby declares that this certificate of approval of the said model shall also cover the weighing instruments of same series with maximum capacity above 50 kg. and up to 5000 kg. and with number of verification scale interval (n) in the range of 500 to 10,000 for 'e' value of 5g. or more and with 'e' value of  $1 \times 10^k$ ,  $2 \times 10^k$  or  $5 \times 10^k$ , k being the positive or negative whole number or equal to zero manufactured by the same manufacturer in accordance with the same principle, design accuracy and with the same materials with which, the said approved model has been manufactured.

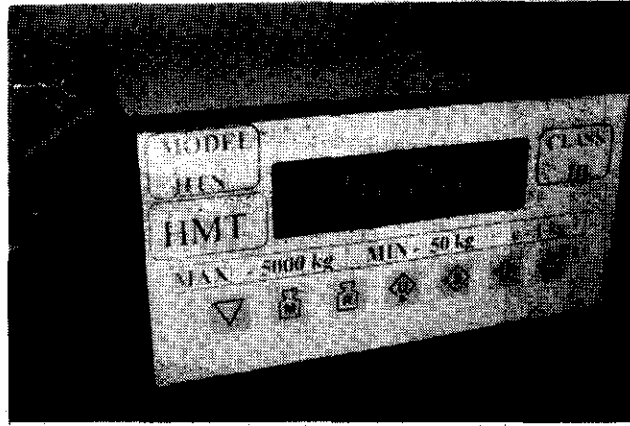
[F. No. WM-21(259)/2002]

P. A. KRISHNAMOORTHY, Director of Legal Metrology

नई दिल्ली, 14 जून, 2006

का. आ. 2596.—केन्द्रीय सरकार का, विहित प्राधिकारी द्वारा उसे प्रस्तुत रिपोर्ट पर विचार करने के पश्चात् यह समाधान हो गया है कि उक्त रिपोर्ट में वर्णित मॉडल (नीचे दी गई आकृति देखें) बाट और माप मानक अधिनियम, 1976 (1976 का 60) तथा बाट और माप मानक (मॉडलों का अनुमोदन) नियम, 1987 के उपबंधों के अनुरूप है और इस बात की संभावना है कि लगातार प्रयोग की अवधि में भी उक्त मॉडल यथार्थता बनाए रखेगा और विभिन्न परिस्थितियों में उपयुक्त सेवा प्रदान करता रहेगा;

अतः, अब, केन्द्रीय सरकार, उक्त अधिनियम की धारा 36 की उप-धारा (7) और (8) द्वारा प्रदत्त शक्तियों का प्रयोग करते हुए मैसर्स हिम्मतनगर स्केल मैन्यूफैक्चरिंग कम्पनी, 94-95, जी आई डी सी एस्टेट, मोतीपुरा, हिम्मतनगर-383001, गुजरात द्वारा विनिर्मित मध्यम यथार्थता (यथार्थता वर्ग-III) वाले "एच टी एन" शृंखला के अंकक सूचन सहित, अस्वचालित तोलन उपकरण (इलैक्ट्रॉनिक टैंक वेइंग स्केल प्रकार) के मॉडल का, जिसके ब्रांड का नाम "एच एम टी" है (जिसे इसमें इसके पश्चात् उक्त मॉडल कहा गया है) और जिसे अनुमोदन चिह्न आई एन डी/09/06/304 समनुदेशित किया गया है, अनुमोदन प्रमाण-पत्र जारी और प्रकाशित करती है।



उक्त मॉडल एक अस्वचालित (इलैक्ट्रॉनिक टैंक वेइंग स्केल) तोलन उपकरण है। इसकी अधिकतम क्षमता 5000 कि.ग्रा. है और न्यूनतम क्षमता 20 कि. ग्रा. है। सत्यापन मापमान अन्तराल (ई) का मान 1 कि. ग्रा. है। इसमें एक आधेयतुलन युक्ति है जिसका शत प्रतिशत व्यकलनात्मक धारित आधेयतुलन प्रभाव है। प्रकाश उत्सर्जक डायोड (एल ई डी) प्रदर्श तोलन परिणाम उपदर्शित करता है। उपकरण 440 वोल्ट, 50 हर्ट्ज प्रत्यावर्ती धारा विद्युत प्रदाय पर कार्य करता है।

स्टाम्पिंग प्लेट के मुद्रांकन के अतिरिक्त मशीन को कपटपूर्ण व्यवहारों के लिए खोलने से रोकने के लिए सीलबन्द भी किया जाएगा और मॉडल को उसकी सामग्री, यथार्थता, डिजाइन, सर्किट डायग्राम, कार्यकारी सिद्धांत आदि की शर्तों पर भारत में बिक्री से पहले या बाद में परिवर्तित नहीं किया जाएगा।

और, केन्द्रीय सरकार, उक्त अधिनियम की धारा 36 की उप-धारा (12) द्वारा प्रदत्त शक्तियों का प्रयोग करते हुए यह घोषणा करती है कि उक्त मॉडल के अनुमोदन के इस प्रमाण-पत्र के अंतर्गत उसी विनिर्माता द्वारा उसी सिद्धांत, डिजाइन के अनुसार और उसी सामग्री से जिससे अनुमोदित मॉडल का निर्माण किया गया है, विनिर्मित उसी शृंखला के वैसे ही मेक, यथार्थता और कार्यपालन के तोलन उपकरण भी होंगे जो 1 कि.ग्रा. या उससे अधिक के "ई" मान के लिए 500 से 10,000 तक के रेंज में सत्यापन मान सहित 15,000 कि. ग्रा. तक की अधिकतम क्षमता वाले हैं और "ई" मान  $1 \times 10^*$ ,  $2 \times 10^*$  या  $5 \times 10^*$ , के हैं, जो धनात्मक या ऋणात्मक पूर्णांक या शून्य के समतुल्य हैं।

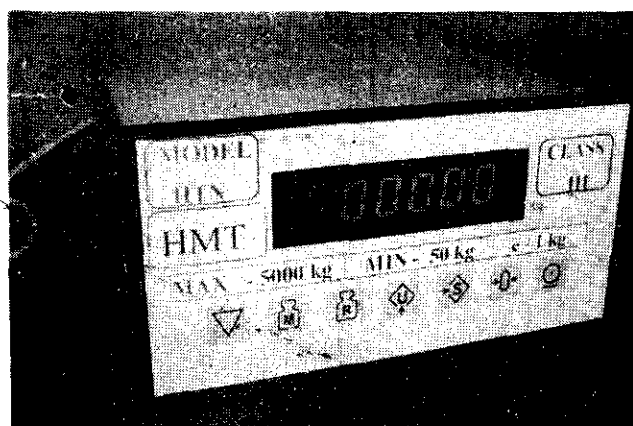
[फा. सं. डब्ल्यू एम-21(259)/2002]

पी. ए. कृष्णामूर्ति, निदेशक, विधिक माप विज्ञान

New Delhi, the 14th June, 2006

**S.O. 2596.**—Whereas the Central Government, after considering the report submitted to it by the prescribed authority, is satisfied that the model described in the said report (see the figure given below) is in conformity with the provisions of the Standards of Weights and Measures Act, 1976 (60 of 1976) and the Standards of Weights and Measures (Approval of Models) Rules, 1987 and the said model is likely to maintain its accuracy over periods of sustained use and to render accurate service under varied conditions;

Now, therefore, in exercise of the powers conferred by sub-sections (7) and (8) of Section 36 of the said Act, the Central Government hereby issues and publishes the certificate of approval of the model of non-automatic (Electronic tank Weighing Scale) weighing instrument with digital indication of "HTN" series of medium accuracy (Accuracy class-III) and with brand name "HMT" (hereinafter referred to as the said model), manufactured by M/s. Himatnagar Scale Mfg. Co., 94-95, G.I.D.C. Estate, Motipura Himatnagar-383 001, Gujarat and which is assigned the approval mark IND/09/06/304;



The said model is a strain gauge type load cell based non-automatic weighing instrument (Electronic tank Weighing Scale) with a maximum capacity of 5000kg. and minimum capacity of 20kg. The verification scale interval (e) is 1kg. It has a tare device with a 100 per cent subtractive retained tare effect. The light emitting diode (LED) display indicates the weighing result. The instrument operates on 440 V, 50 Hz alternative current power supply.

In addition to sealing the stamping plate, sealing shall also be done to prevent the opening of the machine for fraudulent practices. The said model shall not be changed in terms of its material, accuracy, design, circuit diagram, working principle, etc or alteration of any other type before or after sales in India.

Further, in exercise of the power conferred by sub-section (12) of Section 36 of the said Act, the Central Government hereby declares that this certificate of approval of the said model shall also cover the weighing instruments of similar make, accuracy and performance of same series with maximum capacity of 15,000 kg. with verification scale interval (n) in the range of 500 to 10,000 for 'e' value of 1kg. or more and with 'e' value of  $1 \times 10^k$ ,  $2 \times 10^k$  or  $5 \times 10^k$ , k being a positive or negative whole number or equal to zero manufactured by the same manufacturer in accordance with the same principle, design and with the same materials with which, the said approved model has been manufactured.

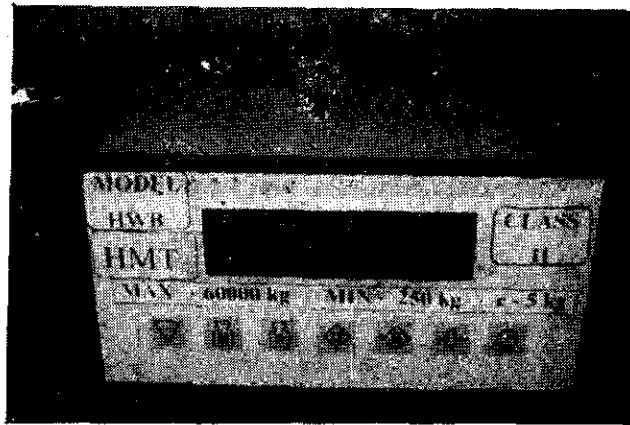
[F. No. WM-21(259)/2002]

P. A. KRISHNAMOORTHY, Director of Legal Metrology

नई दिल्ली, 14 जून, 2006

का. आ. 2597.—केन्द्रीय सरकार का, विहित प्राधिकारी द्वारा उसे प्रस्तुत रिपोर्ट पर विचार करने के पश्चात् यह समाधान हो गया है कि उक्त रिपोर्ट में वर्णित मॉडल (नीचे दी गई आकृति देखें) बाट और माप मानक अधिनियम, 1976 (1976 का 60) तथा बाट और माप मानक (मॉडलों का अनुमोदन) नियम, 1987 के उपबंधों के अनुरूप है और इस बात की संभावना है कि लगातार प्रयोग की अवधि में भी उक्त मॉडल यथार्थता बनाए रखेगा और विभिन्न परिस्थितियों में उपयुक्त सेवा प्रदान करता रहेगा;

अतः, अब, केन्द्रीय सरकार, उक्त अधिनियम की धारा 36 की उप-धारा (7) और (8) द्वारा प्रदत्त शक्तियों का प्रयोग करते हुए मैसर्स हिम्मतनगर स्केल मैन्यूफैक्चरिंग कम्पनी, 94-95, जी आई डी सी एस्टेट, मोतीपुरा, हिम्मतनगर-383001, गुजरात द्वारा विनिर्मित उच्च यथार्थता (यथार्थता वर्ग-II) वाले "एच डब्ल्यू बी" शृंखला के अंकक सूचन सहित, अस्वचालित तोलन उपकरण (वेब्रिज प्रकार) के मॉडल का, जिसके ब्रांड का नाम "एच एम टी" है (जिसे इसमें इसके पश्चात् उक्त मॉडल कहा गया है) और जिसे अनुमोदन चिह्न आई एन डी/09/06/305 समनुदेशित किया गया है, अनुमोदन प्रमाण-पत्र जारी और प्रकाशित करती है।



उक्त मॉडल एक अस्वचालित तोलन उपकरण है। इसकी अधिकतम क्षमता 60,000 कि.ग्रा. है और न्यूनतम क्षमता 250 कि. ग्रा. है। सत्यापन मापमान अन्तराल (ई) का मान 5 कि. ग्रा. है। इसमें एक आधेयतुलन युक्ति है जिसका शत प्रतिशत व्यकलनात्मक धारित आधेयतुलन प्रभाव है। प्रकाश उत्सर्जक डायोड (एल ई डी) प्रदर्श तोलन परिणाम उपदर्शित करता है। उपकरण 230 वोल्ट, 50 हर्ट्ज प्रत्यावर्ती धारा विद्युत प्रदाय पर कार्य करता है। भार सेल विकृति गेज प्रकार का है।

स्टॉम्पिंग प्लेट के मुद्रांकन के अतिरिक्त मशीन को कपटपूर्ण व्यवहारों के लिए खोलने से रोकने के लिए सीलबन्द भी किया जाएगा और मॉडल को उसकी सामग्री, यथार्थता, डिजाइन, सर्किट डायग्राम, कार्यकारी सिद्धांत आदि की शर्तों पर भारत में बिक्री से पहले या बाद में परिवर्तित नहीं किया जाएगा।

और, केन्द्रीय सरकार, उक्त अधिनियम की धारा 36 की उप-धारा (12) द्वारा प्रदत्त शक्तियों का प्रयोग करते हुए यह घोषणा करती है कि उक्त मॉडल के अनुमोदन के इस प्रमाण-पत्र के अंतर्गत उसी विनिर्माता द्वारा उसी सिद्धांत, डिजाइन के अनुसार और उसी सामग्री से जिससे अनुमोदित मॉडल का निर्माण किया गया है, विनिर्मित उसी शृंखला के वैसे ही मेक, यथार्थता और कार्यपालन के तोलन उपकरण भी होंगे जो 5 कि. ग्रा. या उससे अधिक के "ई" मान के लिए 500 से 50,000 तक के रेंज में सत्यापन मान सहित 5 टन से अधिक और 150 टन तक की अधिकतम क्षमता वाले हैं और "ई" मान  $1 \times 10^3$ ,  $2 \times 10^3$  या  $5 \times 10^3$ , के हैं, जो धनात्मक या ऋणात्मक पूर्णांक या शून्य के समतुल्य हैं।

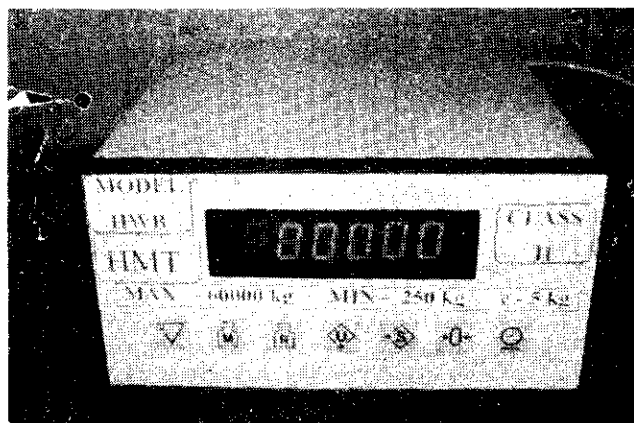
[फा. सं. डब्ल्यू एम-21(259)/2002]

पी. ए. कृष्णामूर्ति, निदेशक, विधिक माप विज्ञान

New Delhi, the 14th June, 2006

**S.O. 2597.**—Whereas the Central Government, after considering the report submitted to it by the prescribed authority, is satisfied that the Model described in the said report (see the figure given below) is in conformity with the provisions of the Standards of Weights and Measures Act, 1976 (60 of 1976) and the Standards of Weights and Measures (Approval of Models) Rules, 1987 and the said Model is likely to maintain its accuracy over periods of sustained use and to render accurate service under varied conditions;

Now, therefore, in exercise of the powers conferred by Sub-sections (7) and (8) of Section 36 of the said Act, the Central Government hereby issues and publishes the certificate of approval of the Model of non-automatic weighing instrument (weighbridge type) with digital indication belonging to high accuracy (Accuracy class-II) of “HWB” series with brand name “HMT” (hereinafter referred to as the said Model), manufactured by M/s. Himatnagar Scale Mfg. Co., 94-95, G.I.D.C. Estate, Motipura, Himatnagar-383 001, Gujarat and which is assigned the approval mark IND/09/06/305;



The said Model is a non-automatic weighing instrument (weighbridge type) with a maximum capacity of 60,000 kg. and minimum capacity of 250 kg. The verification scale interval (e) is 5 kg. It has a tare device with a 100 per cent subtractive retained tare effect. The Light Emitting Diode (LED) display indicates the weighing result. The instrument operates on 230 Volts, 50 Hertz alternative current power supply. The load cell is of strain gauge type.

In addition to sealing the stamping plate, sealing shall also be done to prevent the opening of the machine for fraudulent practices. The said Model shall not be changed in terms of its material, accuracy, design, circuit diagram, working principle, etc. or alteration of any other type before or after sales in India.

Further, in exercise of the power conferred by Sub-section (12) of Section 36 of the said Act, the Central Government hereby declares that this certificate of approval of the said Model shall also cover the weighing instruments of similar make, accuracy and performance of same series with maximum capacity above 5 tonne and up to 105 tonne with verification scale interval (n) in the range of 500 to 50,000 for 'e' value of 5kg. or more and with 'e' value of  $1 \times 10^k$ ,  $2 \times 10^k$  or  $5 \times 10^k$ , k being the positive or negative whole number or equal to zero manufactured by the same manufacturer in accordance with the same principle, design accuracy and with the same materials with which, the said approved Model has been manufactured.

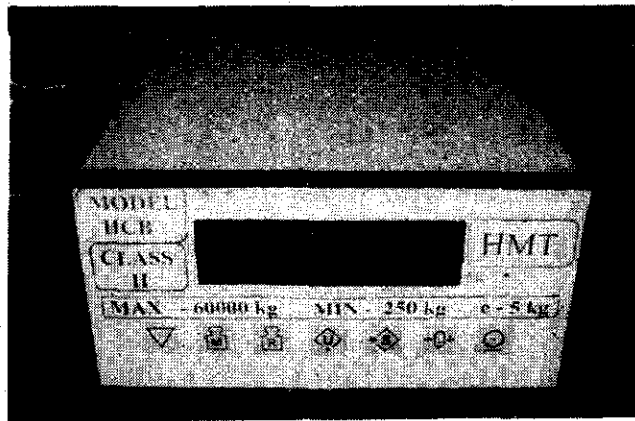
[F. No. WM-21(259)/2002]

P. A. KRISHNAMOORTHY, Director of Legal Metrology

नई दिल्ली, 14 जून, 2006

का. आ. 2598.— केन्द्रीय सरकार का, विहित प्राधिकारी द्वारा उसे प्रस्तुत रिपोर्ट पर विचार करने के पश्चात् यह समाधान हो गया है कि उक्त रिपोर्ट में वर्णित मॉडल (नीचे दी गई आकृति देखें) बाट और माप मानक अधिनियम, 1976 (1976 का 60) तथा बाट और माप मानक (मॉडलों का अनुमोदन) नियम, 1987 के उपबंधों के अनुरूप है और इस बात की संभावना है कि लगातार प्रयोग की अवधि में भी उक्त मॉडल यथार्थता बनाए रखेगा और विभिन्न परिस्थितियों में उपयुक्त सेवा प्रदान करता रहेगा;

अतः, अब, केन्द्रीय सरकार, उक्त अधिनियम की धारा 36 की उप-धारा (7) और (8) द्वारा प्रदत्त शक्तियों का प्रयोग करते हुए मैसर्स हिम्मतनगर स्केल मैन्यूफैक्चरिंग कम्पनी, 94-95, जी आई डी सी एस्टेट, मोतीपुरा, हिम्मतनगर-383 001, गुजरात द्वारा विनिर्मित उच्च यथार्थता (यथार्थता वर्ग-II) वाले “एच सी बी” शृंखला के अंकक सूचन सहित, अस्वचालित तोलन उपकरण (वेब्रिज के लिए कनवर्शन किट) के मॉडल का, जिसके ब्रांड का नाम “एच एम टी” है (जिसे इसमें इससे पश्चात् उक्त मॉडल कहा गया है) और जिसे अनुमोदन चिह्न आई एन डी/09/06/306 समनुदेशित किया गया है, अनुमोदन प्रमाण-पत्र जारी और प्रकाशित करती है।



उक्त मॉडल एक विकृत गेज प्रकार का भार सेल आधारित अस्वचालित (वेब्रिज के लिए कनवर्शन किट) तोलन उपकरण है। इसकी अधिकतम क्षमता 60 टन और न्यूनतम क्षमता 250 कि. ग्रा. है। सत्यापन मापमान अन्तराल (ई) का मान 5 कि. ग्रा. है। इसमें एक आधेयतुलन युक्ति है जिसका शत प्रतिशत व्यकलनात्मक धारित आधेयतुलन प्रभाव है। प्रकाश उत्सर्जक डायोड (एल ई डी) प्रदर्श तोलन परिणाम उपदर्शित करता है। उपकरण 230 वोल्ट, 50 हर्ट्ज प्रत्यावर्ती धारा विद्युत प्रदाय पर कार्य करता है।

स्टॉम्पिंग प्लेट के मुद्रांकन के अतिरिक्त मशीन को कपटपूर्ण व्यवहारों के लिए खोलने से रोकने के लिए सीलबन्द भी किया जाएगा और मॉडल को उसकी सामग्री, यथार्थता, डिजाइन, सर्किट डायग्राम, कार्यकारी सिद्धांत आदि की शर्तों पर भारत में बिक्री से पहले या बाद में परिवर्तित नहीं किया जाएगा।

और, केन्द्रीय सरकार, उक्त अधिनियम की धारा 36 की उप-धारा (12) द्वारा प्रदत्त शक्तियों का प्रयोग करते हुए यह घोषणा करती है कि उक्त मॉडल के अनुमोदन के इस प्रमाण-पत्र के अंतर्गत उसी विनिर्माता द्वारा उसी सिद्धांत, डिजाइन के अनुसार और उसी सामग्री से जिससे अनुमोदित मॉडल का निर्माण किया गया है, विनिर्मित उसी शृंखला के वैसे ही मेक, यथार्थता और कार्यपालन के तोलन उपकरण भी होंगे जो 5 कि. ग्रा. या उससे अधिक के “ई” मान के लिए 500 से 50,000 तक के रेंज में सत्यापन मान सहित 5 टन से अधिक और 150 टन तक की अधिकतम क्षमता वाले हैं और “ई” मान  $1 \times 10^{-6}$ ,  $2 \times 10^{-6}$  या  $5 \times 10^{-6}$ , के हैं, जो धनात्मक या ऋणात्मक पूर्णांक या शून्य के समतुल्य हैं।

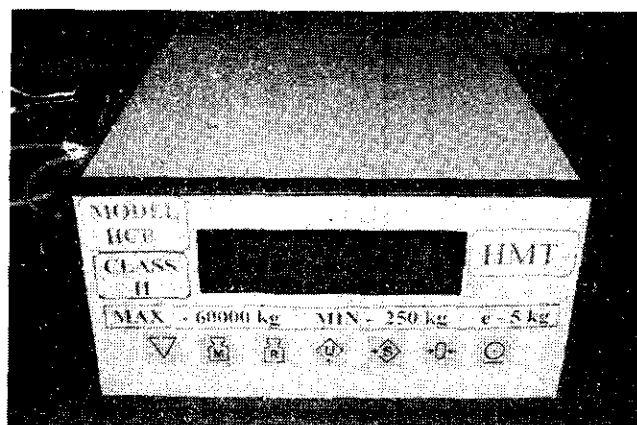
[फा. सं. डब्ल्यू एम-21(259)/2002]

पी. ए. कृष्णामूर्ति, निदेशक, विधिक माप विज्ञान

New Delhi, the 14th June, 2006

**S.O. 2598.**—Whereas the Central Government, after considering the report submitted to it by the prescribed authority, is satisfied that the Model described in the said report (see the figure given below) is in conformity with the provisions of the Standards of Weights and Measures Act, 1976 (60 of 1976) and the Standards of Weights and Measures (Approval of Models) Rules, 1987 and the said Model is likely to maintain its accuracy over periods of sustained use and to render accurate service under varied conditions;

Now, therefore, in exercise of the powers conferred by Sub-sections (7) and (8) of Section 36 of the said Act, the Central Government hereby issues and publishes the certificate of approval of the model of, non-automatic weighing instrument (conversion kit for weighbridge) with digital indication belonging to high accuracy (Accuracy class-II) of “HCB” series with brand name “HMT” (hereinafter referred to as the said model), manufactured by M/s. Himatnagar Scale Mfg. Co., 94-95, G.I.D.C. Estate, Motipura, Himatnagar-383 001, Gujarat and which is assigned the approval mark IND/09/06/306;



The said Model is a strain gauge type load cell based non-automatic weighing instrument (conversion kit for weighbridge) with a maximum capacity of 60 tonne and minimum capacity of 250kg. The verification scale interval (e) is 5kg. It has a tare device with a 100 per cent subtractive retained tare effect. The Light Emitting Diode (LED) display indicates the weighing result. The instrument operates on 230 Volts, 50 Hertz alternate current power supply.

In addition to sealing the stamping plate, sealing shall also be done to prevent the opening of the machine for fraudulent practices. The said model shall not be changed in terms of its material, accuracy, design, circuit diagram, working principle, etc. or alteration of any other type before or after sales in India.

Further, in exercise of the power conferred by Sub-section (12) of Section 36 of the said Act, the Central Government hereby declares that this certificate of approval of the said model shall also cover the weighing instrument of similar make, accuracy and performance of same series with maximum capacity above 5 tonne and up to 105 tonne with verification scale interval (n) in the range of 500 to 50,000 for 'e' value of 5 kg. or more and with 'e' value of  $1 \times 10^k$ ,  $2 \times 10^k$  or  $5 \times 10^k$ , k being the positive or negative whole number or equal to zero manufactured by the same manufacturer in accordance with the same principle, design accuracy and with the same materials with which, the said approved model have been manufactured.

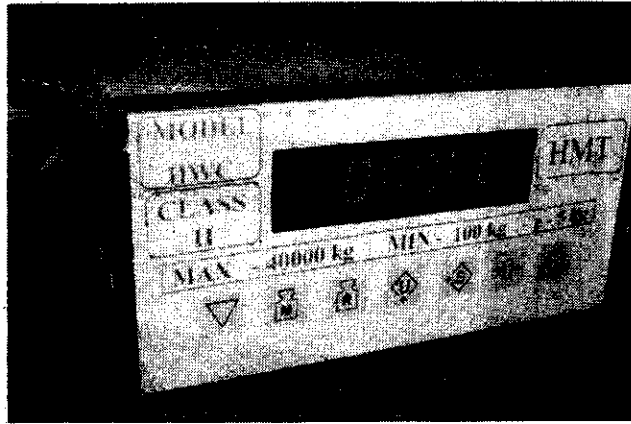
[F. No. WM-21(259)/2002]

P. A. KRISHNAMOORTHY, Director of Legal Metrology

नई दिल्ली, 14 जून, 2006

का. आ. 2599.—केन्द्रीय सरकार का, विहित प्राधिकारी द्वारा उसे प्रस्तुत रिपोर्ट पर विचार करने के पश्चात् यह समाधान हो गया है कि उक्त रिपोर्ट में वर्णित मॉडल (नीचे दी गई आकृति देखें) बाट और माप मानक अधिनियम, 1976 (1976 का 60) तथा बाट और माप मानक (मॉडलों का अनुमोदन) नियम, 1987 के उपबंधों के अनुरूप है और इस बात की संभावना है कि लगातार प्रयोग की अवधि में भी उक्त मॉडल यथार्थता बनाए रखेगा और विभिन्न परिस्थितियों में उपयुक्त सेवा प्रदान करता रहेगा;

अतः, अब, केन्द्रीय सरकार, उक्त अधिनियम की धारा 36 की उपधारा (7) और (8) द्वारा प्रदत्त शक्तियों का प्रयोग करते हुए मैसर्स हिम्मतनगर स्केल मैन्यूफैक्चरिंग कम्पनी, 94-95, जी आई डी सी एस्टेट, मोतीपुरा, हिम्मतनगर-383001, गुजरात द्वारा विनिर्मित मध्यम यथार्थता (यथार्थता वर्ग III) वाले "एच डब्ल्यू सी" शृंखला के अंकक सूचन सहित अस्वचालित तोलन उपकरण (बेन्निज प्रकार) के मॉडल का, जिसके ब्रांड का नाम "एच एम टी" है (जिसे इसमें इसके पश्चात् उक्त मॉडल कहा गया है) और जिसे अनुमोदन चिह्न आई एन डी/09/06/307 समनुदेशित किया गया है, अनुमोदन प्रमाण-पत्र जारी और प्रकाशित करती है।



उक्त मॉडल एक अस्वचालित तोलन उपकरण है। इसकी अधिकतम क्षमता 40 टन और न्यूनतम क्षमता 100 कि. ग्रा. है। सत्यापन मापमान अन्तराल (ई) का मान 5 कि. ग्रा. है। इसमें एक आधेयतुलन युक्ति है जिसका शत प्रतिशत व्यवकलनात्मक धारित आधेयतुलन प्रभाव है। प्रकाश उत्सर्जक डायोड (एल ई डी) प्रदर्श तोलन परिणाम उपदर्शित करता है। उपकरण 230 वोल्ट और 50 हर्ट्ज प्रत्यावर्ती धारा विद्युत प्रदाय पर कार्य करता है। भार सेल विकृत गेज प्रकार का है

स्टॉपिंग प्लेट के मुद्रांकन के अतिरिक्त मशीन को कपटपूर्ण व्यवहारों के लिए खोलने से रोकने के लिए सीलबन्द भी किया जाएगा और माडल को उसकी सामग्री, यथार्थता, डिजाइन, सर्किट डायग्राम, कार्यकारी सिद्धान्त आदि की शर्तों पर भारत में ब्रिकी से पहले या बाद में परिवर्तित नहीं किया जाएगा।

और केन्द्रीय सरकार उक्त अधिनियम की धारा 36 की उपधारा (12) द्वारा प्रदत्त शक्तियों का प्रयोग करते हुए यह घोषणा करती है कि उक्त मॉडल के अनुमोदन के इस प्रमाण-पत्र के अंतर्गत उसी विनिर्माता द्वारा उसी सिद्धान्त, डिजाइन के अनुसार और उसी सामग्री से जिससे अनुमोदित मॉडल का निर्माण किया गया है विनिर्मित उसी शृंखला के वैसे ही मेक, यथार्थता और कार्यपालन के तोलन उपकरण भी होंगे जो 5 कि. ग्रा. उससे अधिक के "ई" मान के लिए 500 से 10,000 तक के रेंज में सत्यापन मान सहित 5 टन से अधिक और 100 टन तक की अधिकतम क्षमता वाले हैं और "ई" मान  $1 \times 10^*$ ,  $2 \times 10^*$  या  $5 \times 10^*$ , के हैं, जो धनात्मक या ऋणात्मक पूर्णांक या शून्य के समतुल्य हैं।

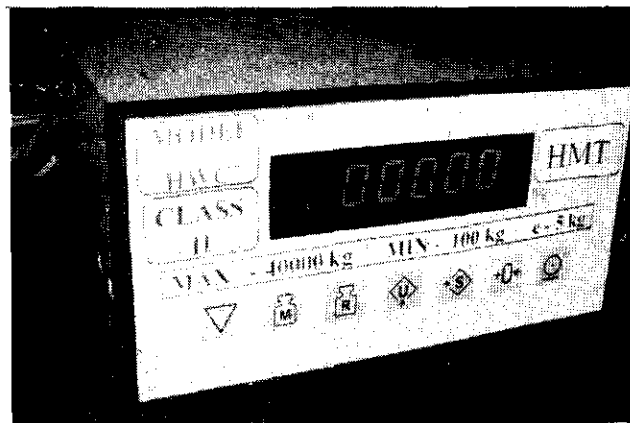
[फा. सं. डब्ल्यू एम-21(259)/2002]

पी. ए. कृष्णामूर्ति, निदेशक, विधिक माप विज्ञान

New Delhi, the 14th June, 2006

**S.O. 2599.**—Whereas the Central Government, after considering the report submitted to it by the prescribed authority, is satisfied that the model described in the said report (see the figure given below) is in conformity with the provisions of the Standards of Weights and Measures Act, 1976 (60 of 1976) and the Standards of Weights and Measures (Approval of Models) Rules, 1987 and the said model is likely to maintain its accuracy over periods of sustained use and to render accurate service under varied conditions;

Now, therefore, in exercise of the powers conferred by Sub-sections (7) and (8) of Section 36 of the said Act, the Central Government hereby publishes the certificate of approval of the model of non-Automatic weighing instrument (Weighbridge type) with digital indication belonging to medium accuracy (Accuracy class III) of "HWC" series with brand name "HMT" (herein referred to as the said model), manufactured by M/s. Himatnagar Scale Mfg. Co., 94-95, G.I.D.C. Estate, Motipura Himatnagar—383001, Gujrat and which is assigned the approval mark IND/09/2006/307;



The said model is an non-automatic weighing instrument (weighbridge type) with a maximum capacity of 40 tonne and minimum capacity of 100 Kg. The verification scale interval (e) is 5 Kg. It has a tare device with a 100 percent subtractive retained tare effect. The Light Emitting Diode (LED) display indicates the weighing result. The instrument operates on 230 volts and 50 Hertz alternate current power supply. The load cell is of strain gauge type.

In addition to sealing the stamping plate, sealing shall also be done to prevent the opening of the machine for fraudulent practices. The said model shall not be changed in terms of its material, accuracy, design, circuit diagram, working principle etc or alternation of any other type before or after sales in India.

Further, in exercise of the powers conferred by Sub-section (12) of Section 36 of the said Act, the Central Government hereby declares that this certificate of approval of the said model shall also cover the weighing instruments of similar make, accuracy and performance of same series with maximum capacity above 5 tonne and up to 100 tonne with verification scale interval (n) in the range of 500 to 10,000 for 'e' value of 5kg or more and with 'e' value  $1 \times 10^k$ ,  $2 \times 10^k$  or  $5 \times 10^k$ , k being the positive or negative whole number or equal to zero, manufactured by the same manufacturer in accordance with the same principle, design and with the same materials with which, the said approved Model has been manufactured.

[F. No. WM-21(259)/2002]

P. A. KRISHNAMOORTHY, Director of Legal Metrology

नई दिल्ली, 14 जून, 2006

का. आ. 2600.—केन्द्रीय सरकार का, विहित प्राधिकारी द्वारा उसे प्रस्तुत रिपोर्ट पर विचार करने के पश्चात् यह समाधान हो गया है कि उक्त रिपोर्ट में वर्णित मॉडल (नीचे दी गई आकृति देखें) बाट और माप मानक अधिनियम, 1976 (1976 का 60) तथा बाट और माप मानक (मॉडलों का अनुमोदन) नियम, 1987 के उपबंधों के अनुरूप है और इस बात की संभावना है कि लगातार प्रयोग की अवधि में भी उक्त मॉडल यथार्थता बनाए रखेगा और विभिन्न परिस्थितियों में उपयुक्त सेवा प्रदान करता रहेगा;

अतः, अब केन्द्रीय सरकार, उक्त अधिनियम की धारा 36 की उपधारा (7) और (8) द्वारा प्रदत्त शक्तियों का प्रयोग करते हुए मैसर्स हिम्मतनगर स्केल मैन्यूफैक्चरिंग कम्पनी, 94-95, जी आई डी सी एस्टेट, मोतीपुरा, हिम्मतनगर-383001, गुजरात द्वारा विनिर्मित मध्यम यथार्थता (यथार्थता वर्ग-III) वाले "एच सी सी" श्रृंखला के अंकक सूचन सहित, अस्वचालित तोलन उपकरण (वेब्रिज के लिए कन्वर्शन किट) के मॉडल का, जिसके ब्रांड का नाम "एच एम टी" है (जिसे इसमें इसके पश्चात् उक्त मॉडल कहा गया है) और जिसे अनुमोदन चिन्ह आई एन डी/09/06/308 समनुदेशित किया गया है, अनुमोदन प्रमाण-पत्र जारी और प्रकाशित करती है।



उक्त मॉडल एक विकृत गेज प्रकार का भार सेल आधारित अस्वचालित (वेब्रिज के लिए कन्वर्शन किट) तोलन उपकरण है। इसकी अधिकतम क्षमता 40 टन और न्यूनतम क्षमता 100 कि. ग्रा. है। सत्यापन मापमान अन्तराल (ई) का मान 5 कि. ग्रा. है। इसमें एक आधेयतुलन युक्ति है जिसका शत प्रतिशत व्यवकलनात्मक धारित आधेयतुलन प्रभाव है। प्रकाश उत्सर्जक डायोड (एल ई डी) प्रदर्श तोलन परिणाम उपदर्शित करता है। उपकरण 230 वोल्ट और 50 हर्ट्ज प्रत्यावर्ती धारा विद्युत प्रदाय पर कार्य करता है।

स्टॉम्पिंग प्लेट के मुद्रांकन के अतिरिक्त मशीन को कपटपूर्ण व्यवहारों के लिए खोलने से रोकने के लिए सीलबन्द भी किया जाएगा और मॉडल को उसकी सामग्री, यथार्थता, डिजाइन, सर्किट डायग्राम, कार्यकारी सिद्धान्त आदि की शर्तों पर भारत में ब्रिकी से पहले या बाद में परिवर्तित नहीं किया जाएगा।

और केन्द्रीय सरकार उक्त अधिनियम की धारा 36 की उपधारा (12) द्वारा प्रदत्त शक्तियों का प्रयोग करते हुए यह घोषणा करती है कि उक्त मॉडल के अनुमोदन के इस प्रमाणपत्र के अंतर्गत उसी विनिर्माता द्वारा उसी सिद्धांत, डिजाइन के अनुसार और उसी सामग्री से, जिससे अनुमोदित मॉडल का निर्माण किया गया है, विनिर्मित उसी श्रृंखला के वैसे ही मेक, यथार्थता और कार्यपालन के तोलन उपकरण भी होंगे जो 5 कि. ग्रा. या उससे अधिक के "ई" मान के लिए 500 से 10,000 तक की रेंज में सत्यापन मान सहित 5 टन से अधिक और 100 टन तक की अधिकतम क्षमता वाले हैं और "ई" मान  $1 \times 10^3$ ,  $2 \times 10^3$  या  $5 \times 10^3$ , के हैं, जो धनात्मक या ऋणात्मक पूर्णांक या शून्य के समतुल्य है।

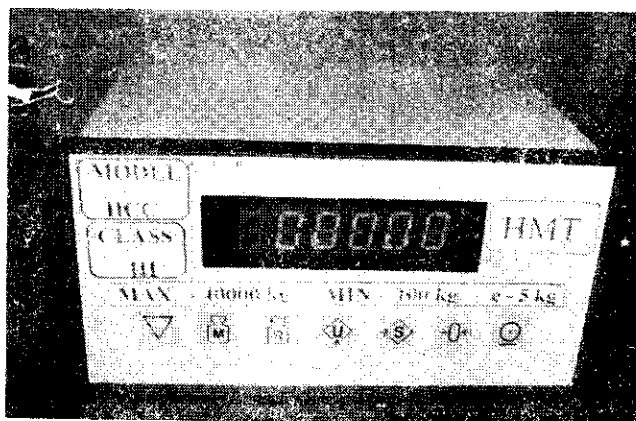
[फा. सं. डब्ल्यू एम-21(259)/2002]

पी. ए. कृष्णामूर्ति, निदेशक, विधिक माप विज्ञान

New Delhi, the 14th June, 2006

**S.O. 2600.**—Whereas the Central Government, after considering the report submitted to it by the prescribed authority, is satisfied that the model described in the said report (see the figure given below) is in conformity with the provisions of the Standards of Weights and Measures Act, 1976 (60 of 1976) and the Standards of Weights and Measures (Approval of Models) Rules, 1987 and the said model is likely to maintain its accuracy over periods of sustained use and to render accurate service under varied conditions;

Now, therefore, in exercise of the powers conferred by sub-sections (7) and (8) of Section 36 of the said Act, the Central Government hereby issues and publishes the certificate of approval of the model of non-automatic weighing instrument (conversion kit for weighbridge) with digital indication belonging to medium accuracy (Accuracy class-III) of "HCC" series with brand name "HMT" (hereinafter referred to as the said model), manufactured by M/s. Himatnagar Scale Mfg. Co., 94-95, G.I.D.C. Estate, Motiputa Himatnagar—383 001, Gujarat and which is assigned the approval mark IND/09/2006/308;



The said model is a strain gauge type load cell based non-automatic weighing instrument (Conversion kit for weighbridge) with a maximum capacity of 40 tonne and minimum capacity of 100 kg. The verification scale interval (e) is 5 kg. It has a tare device with a 100 per cent subtractive retained tare effect. The Light Emitting Diode (LED) display indicates the weighing result. The instrument operates on 230 Volts and 50 Hertz alternate current power supply.

In addition to sealing the stamping plate, sealing shall also be done to prevent the opening of the machine for fraudulent practices. The said model shall not be changed in terms of its material, accuracy, design, circuit diagram, working principle etc. or alteration of any other type before or after sales in India.

Further, in exercise of the powers conferred by sub-section (12) of Section 36 of the said Act, the Central Government hereby declares that this certificate of approval of the said model shall also cover the weighing instrument of similar make, accuracy and performance of same series with maximum capacity above 5 tonne and upto 100 tonne with verification scale interval (n) in the range of 500 to 10,000 for 'e' value of 5kg. or more and with 'e' value  $1 \times 10^k$ ,  $2 \times 10^k$  or  $5 \times 10^k$ , k being the positive or negative whole number or equal to zero manufactured by the same manufacturer in accordance with the same principle, design and with the same materials with which, the said approved model have been manufactured.

[F. No. WM-21(259)/2002]

P. A. KRISHNAMOORTHY, Director of Legal Metrology

नई दिल्ली, 14 जून, 2006

का. आ. 2601.—केन्द्रीय सरकार का, विहित प्राधिकारी द्वारा उसे प्रस्तुत रिपोर्ट पर विचार करने के पश्चात् यह समाधान हो गया है कि उक्त रिपोर्ट में वर्णित मॉडल (नीचे दी गई आकृति देखें) बाट और माप मानक अधिनियम, 1976 (1976 का 60) तथा बाट और माप मानक (मॉडलों का अनुमोदन) नियम, 1987 के उपबंधों के अनुरूप है और इस बात की संभावना है कि लगातार प्रयोग की अवधि में भी उक्त मॉडल यथार्थता बनाए रखेगा और विभिन्न परिस्थितियों में उपयुक्त सेवा प्रदान करता रहेगा;

अतः, अब, केन्द्रीय सरकार, उक्त अधिनियम की धारा 36 की उप-धारा (7) और (8) द्वारा प्रदत्त शक्तियों का प्रयोग करते हुए मैसर्स पटेल इलैक्ट्रॉनिक्स, माधवानी वाड़ी, शिवाजी नगर, सावरकुण्डला-364515, गुजरात द्वारा निर्मित उच्च यथार्थता (यथार्थता वर्ग-II) वाले "पी ई टी-216" शृंखला के अंकक सूचन सहित, अस्वचालित तोलन उपकरण (टेबल टॉप प्रकार) के मॉडल का, जिसके ब्रांड का नाम "पटेल" है (जिसे इसमें इसके पश्चात् उक्त मॉडल कहा गया है) और जिसे अनुमोदन चिन्ह आई एन डी/09/06/272 समनुदेशित किया गया है, अनुमोदन प्रमाण-पत्र जारी और प्रकाशित करती है।



उक्त मॉडल एक विकृति गेज प्रकार का लोड सेल आधारित अस्वचालित (टेबल टॉप प्रकार) तोलन उपकरण है। इसकी अधिकतम क्षमता 30 कि. ग्रा. है और न्यूनतम क्षमता 100 ग्रा. है। सत्यापन मापमान अंतराल (ई) का मान 2 ग्रा. है। इसमें एक आधेयतुलन युक्ति है जिसका शत प्रतिशत व्यवकलनात्मक धारित आधेयतुलन प्रभाव है। प्रकाश उत्सर्जक डायोड (एल ई डी) प्रदर्श तोलन परिणाम उपदर्शित करता है। उपकरण 230 वोल्ट, 50 हर्ट्ज प्रत्यावर्ती धारा विद्युत प्रदाय पर कार्य करता है।

स्टॉम्पिंग प्लेट के मुद्रांकन के अतिरिक्त मशीन को कपटपूर्ण व्यवहारों के लिए खोलने से रोकने के लिए भी सीलबन्द किया जाएगा और मॉडल को उसकी बिक्री से पहले या बाद में सामग्री, यथार्थता, डिजाइन, सर्किट डायग्राम, कार्यकारी सिद्धान्त आदि के संबंध में बदला नहीं जाएगा।

और केन्द्रीय सरकार उक्त अधिनियम की धारा 36 की उप-धारा (12) द्वारा प्रदत्त शक्तियों का प्रयोग करते हुए यह घोषणा करती है कि उक्त मॉडल के अनुमोदन के इस प्रमाण-पत्र के अंतर्गत उसी विनिर्माता द्वारा उसी सिद्धान्त, डिजाइन के अनुसार और उसी सामग्री से, जिससे अनुमोदित मॉडल विनिर्मित किया गया है, विनिर्मित उसी शृंखला के वैसे ही मेक, यथार्थता और कार्यपालन के तोलन उपकरण भी होंगे जो 1 मि.ग्रा. से 50 मि.ग्रा. तक "ई" मान के लिए 100 से 5,000 तक के रेंज में सत्यापन मापमान अंतराल (एन) और 100 मि.ग्रा. या उससे अधिक के "ई" मान के लिए 5,000 से 50,000 तक की रेंज में सत्यापन मान सहित 50 कि. ग्राम. तक की अधिकतम क्षमता वाले हैं और "ई" मान  $1 \times 10^{-6}$ ,  $2 \times 10^{-6}$  या  $5 \times 10^{-6}$ , के हैं, जो धनात्मक या ऋणात्मक पूर्णांक या शून्य के समबुल्य हैं।

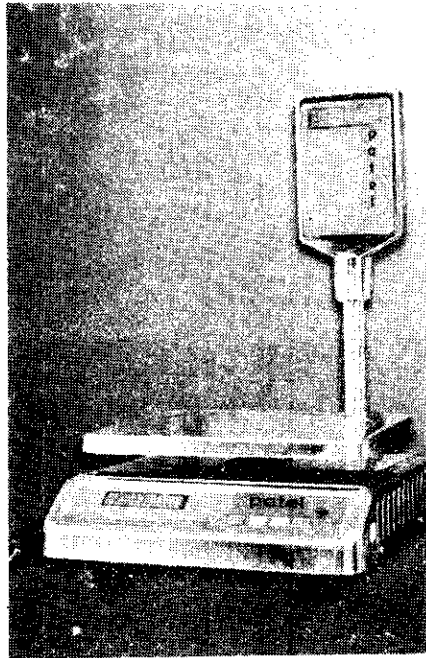
[फा. सं. डब्ल्यू एम-21(258)/2005]

पी. ए. कृष्णामूर्ति, निदेशक, विधिक माप विज्ञान

New Delhi, the 14th June, 2006

**S.O. 2601.**—Whereas the Central Government, after considering the report submitted to it by the prescribed authority, is satisfied that the Model described in the said report (see the figure given below) is in conformity with the provisions of the Standards of Weights and Measures Act, 1976 (60 of 1976) and the Standards of Weights and Measures (Approval of Models) Rules, 1987 and the said Model is likely to maintain its accuracy over periods of sustained use and to render accurate service under varied conditions;

Now, therefore, in exercise of the powers conferred by sub-sections (7) and (8) of Section 36 of the said Act, the Central Government hereby issues and publishes the certificate of approval of the model of non-automatic weighing instrument (Table top type) with digital indication of “PE-T 216” series of high accuracy (Accuracy class-II) and with brand name “PATEL” (herein after referred to as the said Model), manufactured by M/s. Patel Electronics, Madhvani Vadi, Near Shivaji Nagar, Savarkundala-364515 and which is assigned the approval mark IND/09/06/272;



The said Model is a strain gauge type load cell based non-automatic weighing instrument (Table top type) with a maximum capacity of 30 kg. and minimum capacity of 100 g. The verification scale interval (e) is 2 g. It has a tare device with a 100 per cent subtractive retained tare effect. The Light Emitting Diode (LED) indicates the weighing result. The instrument operates on 230 V and 50 Hertz alternative current power supply.

In addition to sealing the stamping plate, sealing shall also be done to prevent from opening of the machine for fraudulent practices. The said model shall not be changed in terms of its material, accuracy, design, circuit diagram, working principle etc. before or after sales.

Further, in exercise of the powers conferred by sub-section (12) of Section 36 of the said Act, the Central Government hereby declares that this certificate of approval of the said Model shall also cover the weighing instruments of similar make and performance of same series with maximum capacity upto 50 kg. and with number of verification scale interval (n) in the range of 100 to 5000 for 'e' value of 1mg. to 50mg. and with number of verification scale interval (n) in the range of 5,000 to 50,000 for 'e' value of 100 mg. or more and with 'e' value  $1 \times 10^k$ ,  $2 \times 10^k$  or  $5 \times 10^k$ , where k being the positive or negative whole number or equal to zero manufactured by the same manufacturer in accordance with the same principle, design and with the same materials with which, the said approved Model has been manufactured.

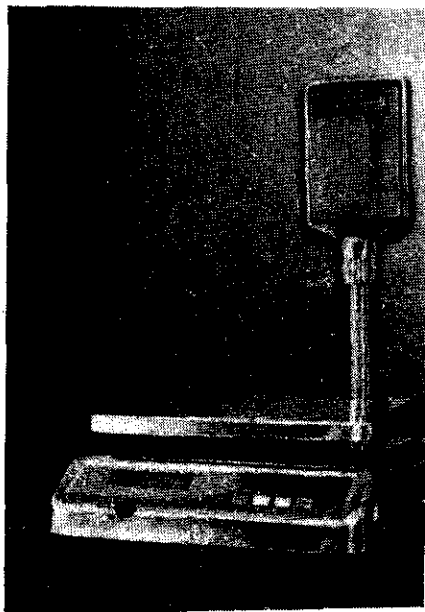
[F. No. WM-21(258)/2005]

P. A. KRISHNAMOORTHY, Director of Legal Metrology

नई दिल्ली, 14 जून, 2006

का. आ. 2602.—केन्द्रीय सरकार का, विहित प्राधिकारी द्वारा उसे प्रस्तुत रिपोर्ट पर विचार करने के पश्चात् यह समाधान हो गया है कि उक्त रिपोर्ट में वर्णित मॉडल (नीचे दी गई आकृति देखें) बाट और माप मानक अधिनियम, 1976 (1976 का 60) तथा बाट और माप मानक (मॉडलों का अनुमोदन) नियम, 1987 के उपबंधों के अनुरूप है और इस बात की संभावना है कि लगातार प्रयोग की अवधि में भी उक्त मॉडल यथार्थता बनाए रखेगा और विभिन्न परिस्थितियों में उपयुक्त सेवा प्रदान करता रहेगा;

अतः, अब, केन्द्रीय सरकार, उक्त अधिनियम की धारा 36 की उप-धारा (7) और (8) द्वारा प्रदत्त शक्तियों का प्रयोग करते हुए मैसर्स पटेल इलेक्ट्रॉनिक्स, माधवानी वाड़ी, शिवाजी नगर, सावरकुण्डला-364515, गुजरात द्वारा निर्मित मध्यम यथार्थता (यथार्थता वर्ग-III) वाले “पी ई टी-112” शृंखला के अंकक सूचन सहित, अस्वचालित तोलन उपकरण (टेबलटॉप प्रकार) के मॉडल का, जिसके ब्रांड का नाम “पटेल” है (जिसे इसमें इसके पश्चात् उक्त मॉडल कहा गया है) और जिसे अनुमोदन चिह्न आई एन डी/09/2006/273 समनुदेशित किया गया है, अनुमोदन प्रमाण-पत्र जारी और प्रकाशित करती है।



उक्त मॉडल एक विकृति गेज प्रकार का लोड सेल आधारित अस्वचालित (टेबलटॉप प्रकार) तोलन उपकरण है। इसकी अधिकतम क्षमता 30 कि. ग्रा. और न्यूनतम क्षमता 100 ग्रा. है। सत्यापन मापमान अंतराल (ई) का मान 5 ग्रा. है। इसमें एक आधेयतुलन युक्ति है जिसका शत प्रतिशत व्यवकलनात्मक धारित आधेयतुलन प्रभाव है। प्रकाश उत्सर्जक डायोड (एल ई डी) प्रदर्श तोलन परिणाम उपदर्शित करता है। उपकरण 230 वोल्ट, 50 हर्ट्ज प्रत्यावर्ती धारा विद्युत प्रदाय पर कार्य करता है।

स्टाम्पिंग प्लेट के मुद्रांकन के अतिरिक्त मशीन को कपटपूर्ण व्यवहारों के लिए खोलने से रोकने के लिए भी सीलबन्द किया जाएगा और मॉडल को उसकी विक्री से पहले या बाद में सामग्री, यथार्थता, डिजाइन, सर्किट डायग्राम, कार्यकारी सिद्धान्त आदि के संबंध में बदला नहीं जाएगा।

और केन्द्रीय सरकार उक्त अधिनियम की धारा 36 की उप-धारा (12) द्वारा प्रदत्त शक्तियों का प्रयोग करते हुए यह घोषणा करती है कि उक्त मॉडल के अनुमोदन के इस प्रमाण-पत्र के अंतर्गत उसी विनिर्माता द्वारा उसी सिद्धान्त, डिजाइन के अनुसार और उसी सामग्री से, जिससे अनुमोदित मॉडल विनिर्मित किया गया है, विनिर्मित उसी शृंखला के वैसे ही मेक, यथार्थता और कार्यपालन के तोलन उपकरण भी होंगे जो 100 मि. ग्रा. से 2 ग्रा. तक “ई” मान के लिए 100 से 10,000 तक की रेंज में सत्यापन मापमान अंतराल (एन) और 5 ग्रा. या उससे अधिक के “ई” मान के लिए 500 से 10,000 तक की रेंज में सत्यापन मान सहित 50 कि.ग्रा. तक की अधिकतम क्षमता वाले हैं और “ई” मान  $1 \times 10^{-3}$ ,  $2 \times 10^{-3}$  या  $5 \times 10^{-3}$ , के हैं, जो धनात्मक या ऋणात्मक पूर्णांक या शून्य के समतुल्य हैं।

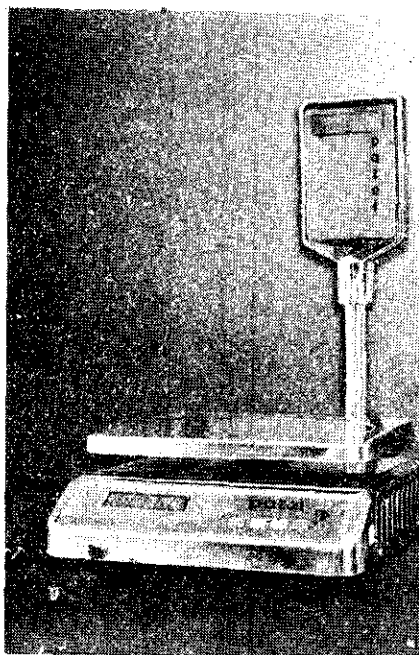
[फा. सं. डब्ल्यू एम-21(258)/2005]

पी. ए. कृष्णामूर्ति, निदेशक, विधिक माप विज्ञान

New Delhi, the 14th June, 2006

**S.O. 2602.**—Whereas the Central Government, after considering the report submitted to it by the prescribed authority, is satisfied that the Model described in the said report (see the figure given below) is in conformity with the provisions of the Standards of Weights and Measures Act, 1976 (60 of 1976) and the Standards of Weights and Measures (Approval of Models) Rules, 1987 and the said Model is likely to maintain its accuracy over periods of sustained use and to render accurate service under varied conditions;

Now, therefore, in exercise of the powers conferred by sub-sections (7) and (8) of Section 36 of the said Act, the Central Government hereby issues and publishes the certificate of approval of the model of non-automatic (Table top type) weighing instrument with digital indication of “PET-112” series of medium accuracy (Accuracy class-III) and with brand name “PATEL” (hereinafter referred to as the said Model), manufactured by M/s. Patel Electronics, Madhvani Vadi, Near Shivaji Nagar, Savarkundala-364515 and which is assigned the approval mark IND/09/2006/273;



The said model is a strain gauge type load cell based non-automatic weighing instrument (Table top type) with a maximum capacity of 30 kg. and minimum capacity of 100g. The verification scale interval (e) is 5g. It has a tare device with 100 per cent subtractive retained tare effect. The Light Emitting Diode (LED) indicates the weighing result. The instrument operates on 230 Volts, 50 Hertz alternative current power supply.

In addition to sealing the stamping plate, sealing shall also be done to prevent opening of the machine for fraudulent practices and model shall not be changed in terms of its material, accuracy, design, circuit diagram, working principles etc. before or after sale.

Further, in exercise of the powers conferred by sub-section (12) of Section 36 of the said Act, the Central Government hereby declares that this certificate of approval of the said model shall also cover the weighing instruments of similar make, accuracy and performance of same series with maximum capacity upto 50 kg with verification scale interval (n) in the range of 100 to 10,000 for ‘e’ value of 100mg. to 2g or with verification scale interval (n) in the range of 500 to 10,000 for ‘e’ value of 5g or more and with ‘e’ value of  $1 \times 10^k$ ,  $2 \times 10^k$  or  $5 \times 10^k$ , k being a positive or negative whole number or equal to zero manufactured by the same manufacturer in accordance with the same principle, design and with the same materials with which, the said approved model has been manufactured.

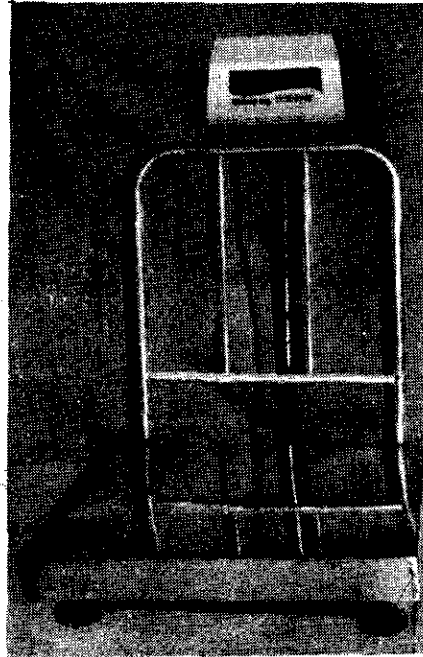
[F. No. WM-21(258)/2005]

P. A. KRISHNAMOORTHY, Director of Legal Metrology

नई दिल्ली, 14 जून, 2006

का. आ. 2603.—केन्द्रीय सरकार का, विहित प्राधिकारी द्वारा उसे प्रस्तुत रिपोर्ट पर विचार करने के पश्चात् यह समाधान हो गया है कि उक्त रिपोर्ट में वर्णित मॉडल (नीचे दी गई आकृति देखें) बाट और माप मानक अधिनियम, 1976 (1976 का 60) तथा बाट और माप मानक (मॉडलों का अनुमोदन) नियम, 1987 के उपबंधों के अनुरूप है और इस बात की संभावना है कि लगातार प्रयोग की अवधि में भी उक्त मॉडल यथार्थता बनाए रखेगा और विभिन्न परिस्थितियों में उपयुक्त सेवा प्रदान करता रहेगा;

अतः, अब, केन्द्रीय सरकार, उक्त अधिनियम की धारा 36 की उप-धारा (7) और (8) द्वारा प्रदत्त शक्तियों का प्रयोग करते हुए मैसर्स पटेल इलेक्ट्रॉनिक्स, माधवानी वाड़ी, शिवाजी नगर, सावरकुण्डला-364515, गुजरात द्वारा निर्मित उच्च यथार्थता (यथार्थता वर्ग-II) वाले "पी ई पी-406" शृंखला के अंकक सूचन सहित, अस्वचालित तोलन उपकरण (प्लेटफार्म प्रकार) के मॉडल का, जिसके ब्रांड का नाम "पटेल" है (जिसे इसमें इसके पश्चात् उक्त मॉडल कहा गया है) और जिसे अनुमोदन चिन्ह आई एन डी/09/06/274 समनुदेशित किया गया है, अनुमोदन प्रमाण-पत्र जारी और प्रकाशित करती है ;



उक्त मॉडल एक विकृति गेज प्रकार का लोड सेल आधारित अस्वचालित (प्लेटफार्म प्रकार) तोलन उपकरण है। इसकी अधिकतम क्षमता 150 कि.ग्रा. और न्यूनतम क्षमता 500 ग्रा. है। सत्यापन मापमान अन्तराल (ई) का मान 10 ग्रा. है। इसमें एक आधेयतुलन युक्ति है जिसका शत प्रतिशत व्यवकलनात्मक धारित आधेयतुलन प्रभाव है। प्रकाश उत्सर्जक डायोड (एल ई डी) प्रदर्श तोलन परिणाम उपदर्शित करता है। उपकरण 230 वोल्ट, 50 हर्ट्ज प्रत्यावर्ती धारा विद्युत प्रदाय पर कार्य करता है।

स्टाम्पिंग प्लेट के मुद्रांकन के अतिरिक्त मशीन को कपटपूर्ण व्यवहारों के लिए खोलने से रोकने के लिए सीलबन्द भी किया जाएगा और मॉडल को उसकी बिक्री से पहले या बाद में सामग्री, यथार्थता, डिजाइन, सर्किट डायग्राम, कार्यकारी सिद्धान्त आदि के संबंध में बदला नहीं जाएगा।

और केन्द्रीय सरकार उक्त अधिनियम की धारा 36 की उप-धारा (12) द्वारा प्रदत्त शक्तियों का प्रयोग करते हुए यह घोषणा करती है कि उक्त मॉडल के अनुमोदन के इस प्रमाण-पत्र के अंतर्गत उसी विनिर्माता द्वारा उसी सिद्धान्त, डिजाइन के अनुसार और उसी सामग्री से, जिससे अनुमोदित मॉडल विनिर्मित किया गया है, विनिर्मित उसी शृंखला के वैसे ही मेक, यथार्थता और कार्यपालन के तोलन उपकरण भी होंगे जो 100 मि. ग्रा. या उससे अधिक के "ई" मान के लिए 5000 से 50,000 तक की रेंज में सत्यापन मान सहित 50 कि. ग्रा. से अधिक और 500 कि. ग्रा. तक की अधिकतम क्षमता वाले हैं और "ई" मान  $1 \times 10^*$ ,  $2 \times 10^*$  या  $5 \times 10^*$ , के हैं, जो धनात्मक या ऋणात्मक पूर्णांक या शून्य के समतुल्य हैं।

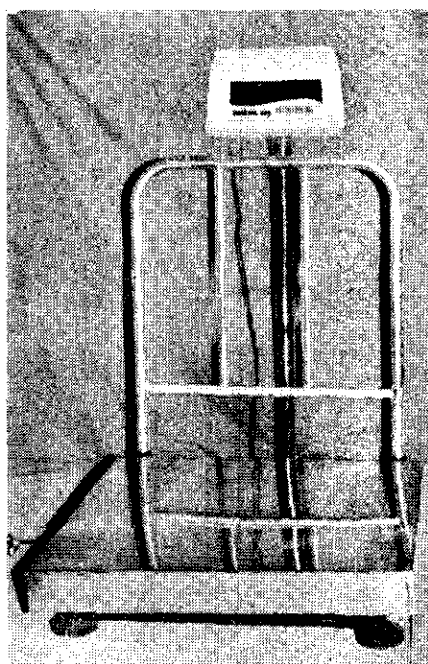
[फा. सं. डब्ल्यू एम-21(258)/2005]

पी. ए. कृष्णामूर्ति, निदेशक, विधिक माप विज्ञान

New Delhi, the 14th June, 2006

**S.O. 2603.**—Whereas the Central Government, after considering the report submitted to it by the prescribed authority, is satisfied that the Model described in the said report (*see* the figure given below) is in conformity with the provisions of the Standards of Weights and Measures Act, 1976 (60 of 1976) and the Standards of Weights and Measures (Approval of Models) Rules, 1987 and the said Model is likely to maintain its accuracy over periods of sustained use and to render accurate service under varied conditions;

Now, therefore, in exercise of the powers conferred by sub-sections (7) and (8) of Section 36 of the said Act, the Central Government hereby issues and publishes the certificate of approval of the Model of non-automatic weighing instrument (Platform type) with digital indication of “PE-P 406” series of high accuracy (Accuracy class-II) and with brand name “PATEL” (hereinafter referred to as the said Model), manufactured by M/s. Patel Electronics, Madhvani Vadi, Near Shivaji Nagar, Savarkundala-364515 and which is assigned the approval mark IND/09/06/274;



The said Model is a strain gauge type load cell based non-automatic weighing instrument (Platform type) with a maximum capacity of 150 kg. and minimum capacity of 500g. The verification scale interval (e) is 10g. It has a tare device with 100 per cent subtractive retained tare effect. The Light Emitting Diode (LED) indicates the weighing result. The instrument operates on 230 Volts and 50 Hertz alternate current power supply.

In addition to sealing the stamping plate, sealing shall also be done to prevent opening of the machine for fraudulent practices and Model shall not be changed in terms of its material, accuracy, design, circuit diagram, working principle etc. before or after sale.

Further, in exercise of the powers conferred by sub-section (12) of Section 36 of the said Act, the Central Government hereby declares that this certificate of approval of the said Model shall also cover the weighing instrument of similar make, and performance of same series with maximum capacity ranging above 50 kg to 500 kg and with number of verification scale interval (n) in the range of 5000 to 50,000 for ‘e’ value of 100mg or more and with ‘e’ value of  $1 \times 10^k$ ,  $2 \times 10^k$  or  $5 \times 10^k$ , k being positive or negative whole number or equal to zero manufactured by the same manufacturer in accordance with the same principle, design, accuracy and with the same materials with which, the said approved Model has been manufactured.

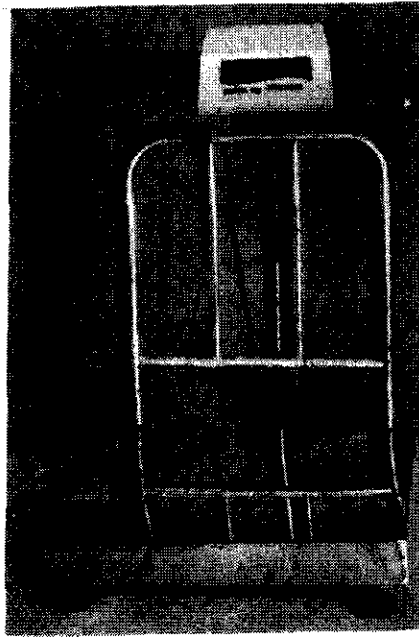
[F. No. WM-21(258)/2005]

P. A. KRISHNAMOORTHY, Director of Legal Metrology

नई दिल्ली, 14 जून, 2006

**का. आ. 2604.**—केन्द्रीय सरकार का, विहित प्राधिकारी द्वारा उसे प्रस्तुत रिपोर्ट पर विचार करने के पश्चात् यह समाधान हो गया है कि उक्त रिपोर्ट में वर्णित मॉडल (नीचे दी गई आकृति देखें) बाट और माप मानक अधिनियम, 1976 (1976 का 60) तथा बाट और माप मानक (मॉडलों का अनुमोदन) नियम, 1987 के उपबंधों के अनुरूप है और इस बात की संभावना है कि लगातार प्रयोग की अवधि में भी उक्त मॉडल यथार्थता बनाए रखेगा और विभिन्न परिस्थितियों में उपयुक्त सेवा प्रदान करता रहेगा;

अतः अब केन्द्रीय सरकार, उक्त अधिनियम की धारा 36 की उपधारा (7) और (8) द्वारा प्रदत्त शक्तियों का प्रयोग करते हुए, मैसर्स पटेल इलैक्ट्रानिक्स, माधवानी वाड़ी, शिवाजी नगर, सावरकुण्डला-364515 गुजरात द्वारा निर्मित मध्यम यथार्थता (यथार्थता वर्ग-III) वाले “पी ई पी-409” शृंखला के अंकक सूचन सहित, अस्वचालित, तोलन उपकरण (प्लेटफार्म प्रकार) के मॉडल का, जिसके ब्रांड का नाम “पटेल” है (जिसे इसमें इसके पश्चात् उक्त मॉडल कहा गया है) और जिसे अनुमोदन चिन्ह आई एन डी/09/06/275 समनुदेशित किया गया है, अनुमोदन प्रमाण पत्र जारी और प्रकाशित करती है;



उक्त मॉडल एक विकृति गेज प्रकार का भार सेल आधारित अस्वचालित तोलन उपकरण है। इसकी अधिकतम क्षमता 500 कि.ग्रा. और न्यूनतम क्षमता 1 कि.ग्रा. है। सत्यापन मापमान अंतराल (ई) का मान 50 ग्रा. है। इसमें एक आधेयतुलन युक्ति है जिसका शत प्रतिशत व्यवकलनात्मक धारित आधेयतुलन प्रभाव है। प्रकाश उत्सर्जक डायोड (एल ई डी) प्रदर्श तोलन परिणाम उपदर्शित करता है। उपकरण 230 वोल्ट, 50 हर्ट्ज प्रत्यावर्ती धारा विद्युत प्रदाय पर कार्य करता है।

स्टाम्पिंग प्लेट को सील करने के अतिरिक्त मशीन को कपटपूर्ण व्यवहारों के लिए खोले जाने से रोकने के लिए सीलबन्द भी किया जाएगा और मॉडल को उसकी बिक्री, से पहले या बाद में सामग्री, यथार्थता, डिजाइन, सर्किट डायग्राम, कार्यकारी सिद्धान्त आदि के संबंध में बदला नहीं जाएगा।

और, केन्द्रीय सरकार, उक्त अधिनियम की धारा 36 की उपधारा (12) द्वारा प्रदत्त शक्तियों का प्रयोग करते हुए, यह घोषणा करती है कि उक्त मॉडल के अनुमोदन के इस प्रमाण पत्र के अंतर्गत उसी विनिर्माता द्वारा उसी सिद्धान्त, डिजाइन के अनुसार और उसी सामग्री से जिससे अनुमोदित मॉडल, विनिर्मित किया गया है, विनिर्मित उसी शृंखला के वैसे ही मेक, यथार्थता और कार्यपालन के तोलन उपकरण भी होंगे जो 5 ग्रा. या उससे अधिक के “ई” मान के लिए 500 से 10,000 तक की रेंज में सत्यापन मान (एन) अंतराल सहित 50 कि.ग्रा. से 1000 कि.ग्रा. तक की अधिकतम क्षमता वाले हैं और “ई” मान  $1 \times 10^3$ ,  $2 \times 10^3$  या  $5 \times 10^3$ , के हैं, जो धनात्मक या ऋणात्मक पूर्णांक या शून्य के समतुल्य है।

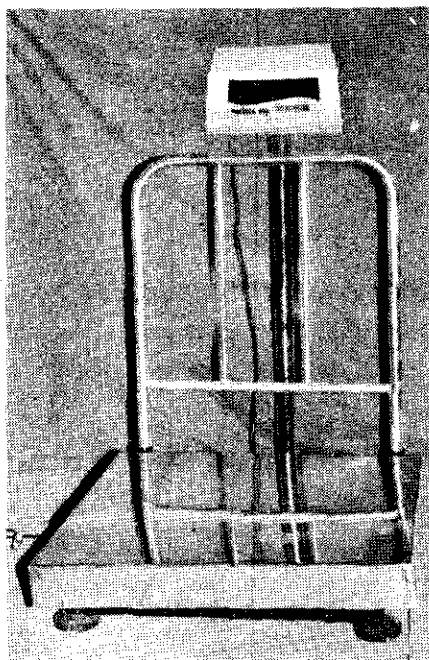
[फा. सं. डब्ल्यू एम-21(258)/2005]

पी. ए. कृष्णामूर्ति, निदेशक, विधिक माप विज्ञान

New Delhi, the 14th June, 2006

**S.O. 2604.**—Whereas the Central Government, after considering the report submitted to it by the prescribed authority, is satisfied that the model described in the said report (see the figure given below) is in conformity with the provisions of the Standards of Weights and Measures Act, 1976 (60 of 1976) and the Standards of Weights and Measures (Approval of Models) Rules, 1987 and the said model is likely to maintain its accuracy over periods of sustained use and to render accurate service under varied conditions;

Now, therefore, in exercise of the powers conferred by Sub-sections (7) and (8) of Section 36 of the said Act, the Central Government hereby issues and publishes the certificate of approval of the model of the self indicating non-automatic (Platform type) weighing instrument with digital indication of “PE-P409” series of medium accuracy (Accuracy class-III) and with brand name “PATEL” (hereinafter referred to as the said model), manufactured by M/s. Patel Eletronics, Madhvani Vadi, Near Shivaji Nagar, Savarkundala-364 515 and which is assigned the approval mark IND/09/2006/275;



The said model is a strain gauge type load cell based weighing instrument with a maximum capacity of 500 kg. and minimum capacity of 1kg. The verification scale interval (e) is 50g. It has a tare device with a 100 percent subtractive retained tare effect. The Light Emitting Diode (LED) display indicates the weighing result. The instrument operates on 230 Volts and 50 Hertz alternate current power supply.

In addition to sealing the stamping plate, sealing shall also be done to prevent the opening of the machine for fraudulent practices and model shall not be changed in terms of its material, accuracy, design, circuit diagram, working principle etc. before or after sale.

Further, in exercise of the powers conferred by Sub-section (12) of Section 36 of the said Act, the Central Government hereby declares that this certificate of approval of the said model shall also cover the weighing instrument of same series with maximum capacity above 50 kg. and up to 1000 kg. and with number of verification scale interval (n) in the range of 500 to 10,000 for ‘e’ value of 5g. or more and with ‘e’ value of  $1 \times 10^4$ ,  $2 \times 10^4$  or  $5 \times 10^4$ , k being the positive or negative whole number or equal to zero manufactured by the same manufacturer with the same principle, design and with the same materials with which, the said approved model has been manufactured.

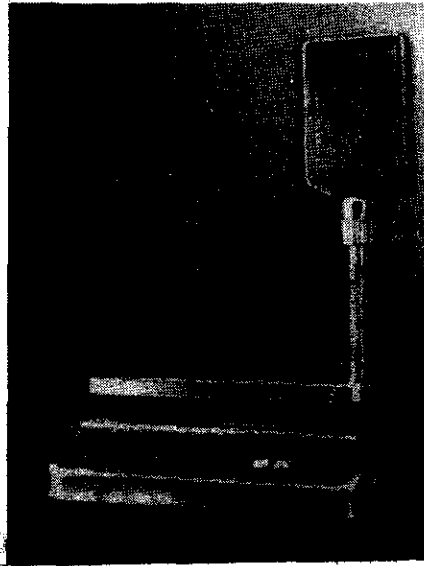
[F. No. WM-21(258)/2005]

P. A. KRISHNAMOORTHY, Director of Legal Metrology

नई दिल्ली, 14 जून, 2006

**का.आ. 2605.**—केन्द्रीय सरकार का, विहित प्राधिकारी द्वारा उसे प्रस्तुत रिपोर्ट पर विचार करने के पश्चात् यह समाधान हो गया है कि उक्त रिपोर्ट में वर्णित मॉडल (नीचे दी गई आकृति देखें) बाट और माप मानक अधिनियम, 1976 (1976 का 60) तथा बाट और माप मानक (मॉडलों का अनुमोदन) नियम, 1987 के उपबंधों के अनुरूप है और इस बात की संभावना है कि लगातार प्रयोग की अवधि में भी उक्त मॉडल यथार्थता बनाए रखेगा और विभिन्न परिस्थितियों में उपयुक्त सेवा प्रदान करता रहेगा;

अतः अब केन्द्रीय सरकार, उक्त अधिनियम की धारा 36 की उपधारा (7) और (8) द्वारा प्रदत्त शक्तियों का प्रयोग करते हुए, मैकसन वे, स्ट्रीट-1, शिवाजी नगर, सावरकुण्डला-364515 गुजरात द्वारा निर्मित उच्च यथार्थता (यथार्थता वर्ग-II) वाले “एम डब्ल्यू-टी-216” शृंखला के अंकक सूचन सहित, अस्वचालित, तोलन उपकरण (टेबल टॉप प्रकार) के मॉडल का, जिसके ब्रांड का नाम “मैकसन वे” है (जिसे इसमें इसके पश्चात् उक्त मॉडल कहा गया है) और जिसे अनुमोदन चिन्ह आई एन डी/09/2006/285 समनुदेशित किया गया है, अनुमोदन प्रमाणपत्र जारी और प्रकाशित करती है;



उक्त मॉडल एक विकृत गेज प्रकार का भार सेल आधारित अस्वचालित तोलन उपकरण (टेबल टॉप प्रकार) है। इसकी अधिकतम क्षमता 30 कि.ग्रा. और न्यूनतम क्षमता 100 ग्रा. है। सत्यापन मापमान अंतराल (ई) 2 ग्रा. है। इसमें एक आधेयतुलन युक्ति है जिसका शत प्रतिशत व्यवकलनात्मक धारित आधेयतुलन प्रभाव है। प्रकाश उत्सर्जक डायोड (एल ई डी) प्रदर्श तोलन परिणाम उपदर्शित करता है। उपकरण 230 वोल्ट, 50 हर्ट्ज प्रत्यावर्ती धारा विद्युत प्रदाय पर कार्य करता है।

स्टाम्पिंग प्लेट को सील करने के अतिरिक्त मशीन को कपटपूर्ण व्यवहारों के लिए खोले जाने से रोकने के लिए सीलबन्द भी किया जाएगा और मॉडल को इसके सामग्री, यथार्थता, डिजाइन, सर्किट डायग्राम, वर्किंग सिद्धान्त आदि के रूप में कोई परिवर्तन न किया जा सके।

और, केन्द्रीय सरकार, उक्त अधिनियम की धारा 36 की उप-धारा (12) द्वारा प्रदत्त शक्तियों का प्रयोग करते हुए, यह घोषणा करती है कि उक्त मॉडल के अनुमोदन के इस प्रमाण-पत्र के अंतर्गत उसी विनिर्माता द्वारा उसी सिद्धान्त, डिजाइन के अनुसार और उसी सामग्री से, जिससे उक्त अनुमोदित मॉडल का निर्माण किया गया है, विनिर्मित उसी शृंखला के वैसे ही मेक, यथार्थता और कार्यपालन के तोलन उपकरण भी होंगे जो 1 मि. ग्रा. से 50 मि.ग्रा. के “ई” मान के लिए 100 से 5,000 तक की रेंज में सत्यापन मापमान अंतराल (एन) और 100 मि. ग्राम या उससे अधिक के “ई” मान के लिए 5000 से 50,000 तक की रेंज में सत्यापन मापमान अंतराल (एन) सहित 50 किलोग्राम तक की अधिकतम क्षमता वाले हैं और “ई” मान  $1 \times 10^{-3}$ ,  $2 \times 10^{-3}$  या  $5 \times 10^{-3}$ , के हैं, जो धनात्मक या ऋणात्मक पूर्णांक या शून्य के समतुल्य हैं।

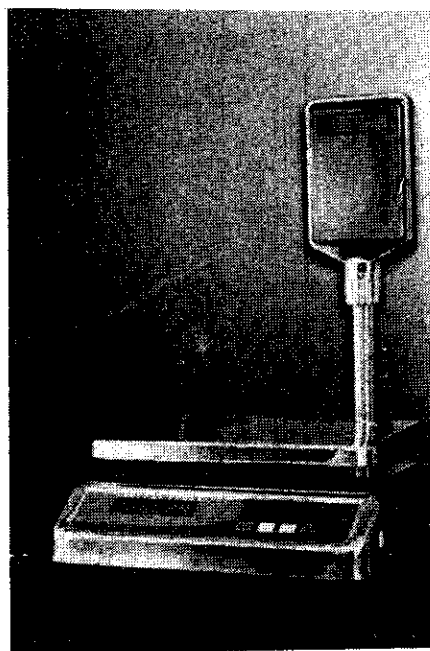
[फा. सं. डब्ल्यू एम-21(257)/2005]

पी. ए. कृष्णामूर्ति, निदेशक, विधिक माप विज्ञान

New Delhi, the 14th June, 2006

**S.O. 2605.**—Whereas the Central Government, after considering the report submitted to it by the prescribed authority, is satisfied that the model described in the said report (see the figure given below) is in conformity with the provisions of the Standards of Weights and Measures Act, 1976 (60 of 1976) and the Standards of Weights and Measures (Approval of Models) Rules, 1987 and the said model is likely to maintain its accuracy over periods of sustained use and to render accurate service under varied conditions;

Now, therefore, in exercise of the powers conferred by sub-sections (7) and (8) of Section 36 of the said Act, the Central Government hereby issues and publishes the certificate of approval of the model of non-automatic weighing instrument (Table top type) with digital indication of "MW-T 216" series of high accuracy class (Accuracy class-II) and with brand name "MACKSON WAY" (hereinafter referred to as the said model), manufactured by M/s. Mackson Way, Street-1, Shivaji Nagar, Savarkundala—364 515 and which is assigned the approval mark IND/09/2006/285;



The said model is a strain gauge type load cell based non-automatic weighing instrument (Table top type) with a maximum capacity of 30 kg. and minimum capacity is 100g. The verification scale interval 'e' is 2g. It has a tare device with a 100 per cent subtractive retained tare effect. The Light Emitting Diode (LED) indicates the weighing result. The instrument operates on 230 Volts, 50 Hertz alternative current power supply ;

In addition to sealing the stamping plate, sealing shall also be done to prevent the opening of the machine for fraudulent practices. The said model shall not be changed in terms of its material, accuracy, design, circuit diagram, working principle etc. or alteration of any other type before or after sale in India.

Further, in exercise of the powers conferred by sub-section (12) of Section 36 of the said Act, the Central Government hereby declares that this certificate of approval of the said model shall also cover the weighing instrument of similar make, and performance of same series with maximum capacity upto 50 kg. and with number of verification scale interval (n) in the range of 100 to 5000 for 'e' value of 1mg. to 50 mg. and with number of verification scale interval (n) in the range of 5,000 to 50,000 for 'e' value of 100mg. or more and with 'e' value of  $1 \times 10^k$ ,  $2 \times 10^k$  or  $5 \times 10^k$ , k being the positive or negative whole number or equal to zero, manufactured by the same manufacturer in accordance with the same principle, design and with the same materials with which, the said approved model has been manufactured.

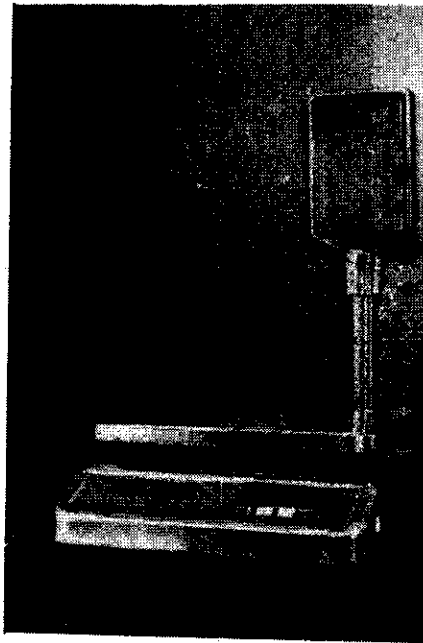
[F. No. WM-21(257)/2005]

P. A. KRISHNAMOORTHY, Director of Legal Metrology

नई दिल्ली, 14 जून, 2006

**का.आ. 2606.**—केन्द्रीय सरकार का, विहित प्राधिकारी द्वारा उसे प्रस्तुत रिपोर्ट पर विचार करने के पश्चात् यह समाधान हो गया है कि उक्त रिपोर्ट में वर्णित मॉडल (नीचे दी गई आकृति देखें) बाट और माप मानक अधिनियम, 1976 (1976 का 60) तथा बाट और माप मानक (मॉडलों का अनुमोदन) नियम, 1987 के उपबंधों के अनुरूप है और इस बात की संभावना है कि लगातार प्रयोग की अवधि में भी उक्त मॉडल यथार्थता बनाए रखेगा और विभिन्न परिस्थितियों में उपयुक्त सेवा प्रदान करता रहेगा;

अतः अब केन्द्रीय सरकार, उक्त अधिनियम की धारा 36 की उपधारा (7) और (8) द्वारा प्रदत्त शक्तियों का प्रयोग करते हुए, मैक्सन वे, स्ट्रीट 1, शिवाजी नगर, सावरकुण्डला-364515 द्वारा विनिर्मित मध्यम यथार्थता वर्ग (यथार्थता वर्ग-III) वाले “एम डब्ल्यू-टी-112” शृंखला के अंकक सूचन सहित, अस्वचालित तोलन उपकरण (टेबलटाप प्रकार) के मॉडल का, जिसके ब्रांड का नाम “मैक्सन वे” है (जिसे इसमें इसके पश्चात् उक्त मॉडल कहा गया है) और जिसे अनुमोदन चिन्ह आई एन डी/09/2006/286 समनुदेशित किया गया है, अनुमोदन प्रमाण पत्र जारी और प्रकाशित करती है;



उक्त मॉडल एक विकृति गेज प्रकार का भार सैल आधारित अस्वचालित तोलन उपकरण (टेबलटाप प्रकार) है। इसकी अधिकतम क्षमता 30 कि.ग्रा. और न्यूनतम क्षमता 100 ग्रा. है। सत्यापन मापमान अंतराल (ई) 5 ग्रा. है। इसमें एक आधेयतुलन युक्ति है जिसका शत प्रतिशत व्यकलनात्मक धारित आधेयतुलन प्रभाव है। प्रकाश उत्सर्जक डायोड (एल ई डी) प्रदर्श तोलन परिणाम उपदर्शित करता है। उपकरण 230 वोल्ट और 50 हर्ट्ज प्रत्यावर्ती धारा विद्युत प्रदाय पर कार्य करता है।

स्टाम्पिंग प्लेट को सील करने के अतिरिक्त मशीन को कपटपूर्ण व्यवहारों के लिए खोले जाने से रोकने के लिए सीलबन्द भी किया जाएगा और मॉडल को इसके सामग्री, यथार्थता, डिजाइन, सर्किट डायग्राम, वर्किंग सिद्धान्त आदि के रूप में कोई परिवर्तन न किया जा सके।

और, केन्द्रीय सरकार, उक्त अधिनियम की धारा 36 की उपधारा (12) द्वारा प्रदत्त शक्तियों का प्रयोग करते हुए, यह घोषणा करती है कि उक्त मॉडल के अनुमोदन के इस प्रमाण पत्र के अंतर्गत उसी विनिर्माता द्वारा उसी सिद्धान्त, डिजाइन के अनुसार और उसी सामग्री से, जिससे उक्त अनुमोदित मॉडल का निर्माण किया गया है, विनिर्मित उसी शृंखला के वैसे ही मेक, यथार्थता और कार्यपालन के तोलन उपकरण भी होंगे जो 100 मि. ग्रा. से 2 ग्राम के “ई” मान के लिए 100 से 10,000 तक की रेंज में सत्यापन मापमान अंतराल (एन) और 5 ग्राम या उससे अधिक के “ई” मान के लिए 500 से 10,000 तक की रेंज में सत्यापन मापमान अंतराल (एन) सहित 50 किलोग्राम तक की अधिकतम क्षमता वाले हैं और “ई” मान  $1 \times 10^{-6}$ ,  $2 \times 10^{-6}$  या  $5 \times 10^{-6}$ , के हैं, जो धनात्मक या ऋणात्मक पूर्णांक या शून्य के समतुल्य है।

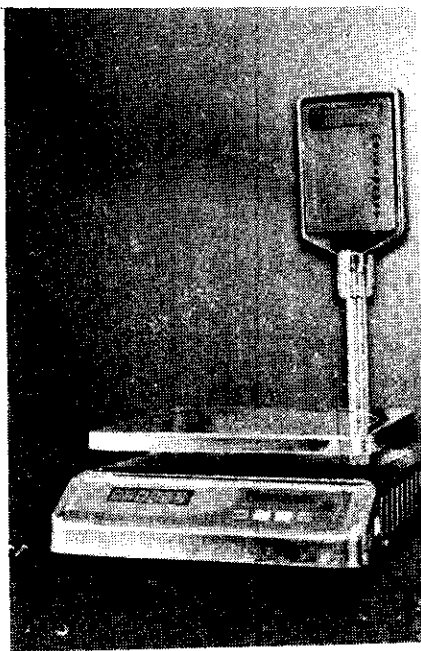
[फा. सं. डब्ल्यू एम-21(257)/2005]

पी. ए. कृष्णामूर्ति, निदेशक, विधिक माप विज्ञान

New Delhi, the 14th June, 2006

**S.O. 2606.**—Whereas the Central Government, after considering the report submitted to it by the prescribed authority, is satisfied that the model described in the said report (see the figure given below) is in conformity with the provisions of the Standards of Weights and Measures Act, 1976 (60 of 1976) and the Standards of Weights and Measures (Approval of Models) Rules, 1987 and the said model is likely to maintain its accuracy over periods of sustained use and to render accurate service under varied conditions;

Now, therefore, in exercise of the powers conferred by Sub-sections (7) and (8) of Section 36 of the said Act, the Central Government hereby issues and publishes the certificate of approval of the model of non-automatic (Table top type) weighing instrument with digital indication of "MW-T 112" series of medium accuracy (Accuracy class-III) and with brand name "MACKSON WAY" (hereinafter referred to as the said model), manufactured by M/s. Mackson Way, Street 1, Shivaji Nagar, Savarkundala-364 515 and which is assigned the approval mark IND/09/2006/286;



The said model is a strain gauge type load cell based non-automatic weighing instrument (Table top type) with a maximum capacity of 30 kg. and minimum capacity is 100g. The verification scale interval (e) is 5g. It has a tare device with 100 per cent subtractive retained tare effect. The Light Emitting Diode (LED) indicates the weighing result. The instrument operates on 230 Volts, 50 Hertz alternative current power supply.

In addition to sealing the stamping plate, sealing shall also be done to prevent opening of the machine for fraudulent practices. The said model shall not be changed in terms of its material, accuracy, design, circuit diagram, working principle etc. or alteration of any other type before or after sale in India.

Further, in exercise of the powers conferred by sub-section (12) of Section 36 of the said Act, the Central Government hereby declares that this certificate of approval of the said model shall also cover the weighing instrument of similar make, accuracy and performance of same series with maximum capacity upto 50kg. with verification scale interval (n) in the range of 100 to 10000 for 'e' value of 100 mg. to 2g or with verification scale interval (n) in the range of 500 to 10,000 for 'e' value of 5g. or more and with 'e' value of  $1 \times 10^k$ ,  $2 \times 10^k$  or  $5 \times 10^k$ , k being a positive or negative whole number or equal to zero manufactured by the same manufacturer in accordance with the same principle, design and with the same materials with which, the said approved model has been manufactured.

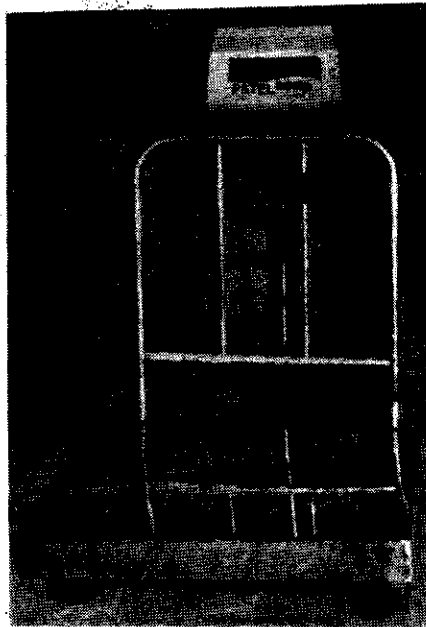
[F. No. WM-21(257)/2005]

P. A. KRISHNAMOORTHY, Director of Legal Metrology

नई दिल्ली, 14 जून, 2006

का. आ. 2607.—केन्द्रीय सरकार का, विहित प्राधिकारी द्वारा उसे प्रस्तुत रिपोर्ट पर विचार करने के पश्चात् यह समाधान हो गया है कि उक्त रिपोर्ट में वर्णित मॉडल (नीचे दी गई आकृति देखें) बाट और माप मानक अधिनियम, 1976 (1976 का 60) तथा बाट और माप मानक (मॉडलों का अनुमोदन) नियम, 1987 के उपबंधों के अनुरूप है और इस बात की संभावना है कि लगातार प्रयोग की अवधि में भी उक्त मॉडल यथार्थता बनाए रखेगा और विभिन्न परिस्थितियों में उपयुक्त सेवा प्रदान करता रहेगा;

अतः, अब, केन्द्रीय सरकार, उक्त अधिनियम की धारा 36 की उपधारा (7) और (8) द्वारा प्रदत्त शक्तियों का प्रयोग करते हुए, मैसर्स मैकसन वे, स्ट्रीट 1, शिवाजी नगर, सावरकुण्डला-364 515 द्वारा विनिर्मित उच्च यथार्थता (यथार्थता वर्ग-II) वाले “एम डब्ल्यू-पी-406” शृंखला के अंकक सूचन सहित, अस्वचालित, तोलन उपकरण (प्लेटफार्म प्रकार) के मॉडल का, जिसके ब्रांड का नाम “मैकसन वे” है (जिसे इसमें इसके पश्चात् उक्त मॉडल कहा गया है) और जिसे अनुमोदन चिन्ह आई एन डी/09/06/287 समनुदेशित किया गया है, अनुमोदन प्रमाण-पत्र जारी और प्रकाशित करती है;



उक्त मॉडल एक विकृति गेज प्रकार का भार सेल आधारित अस्वचालित तोलन उपकरण (प्लेटफार्म प्रकार) है। इसकी अधिकतम क्षमता 150 कि. ग्रा. और न्यूनतम क्षमता 500 ग्रा. है। सत्यापन मापमान अन्तराल (ई) 10 ग्रा. है। इसमें एक आधेयतुलन युक्ति है जिसका शत प्रतिशत व्यवकलनात्मक धारित आधेयतुलन प्रभाव है। प्रकाश उत्सर्जक डायोड (एल ई डी) प्रदर्श तोलन परिणाम उपदर्शित करता है। उपकरण 230 वोल्ट ओर 50 हर्ट्ज प्रत्यावर्ती धारा विद्युत प्रदाय पर कार्य करता है।

स्टाम्पिंग प्लेट को सील करने के अतिरिक्त मशीन को कपटपूर्ण व्यवहारों के लिए खोले जाने से रोकने के लिए भी सीलबन्द किया जाएगा और मॉडल को इसके सामग्री, यथार्थता, डिजाइन, सर्किट डायग्राम, वर्किंग सिद्धान्त आदि के रूप में कोई परिवर्तन न किया जा सके।

और, केन्द्रीय सरकार, उक्त अधिनियम की धारा 36 की उपधारा (12) द्वारा प्रदत्त शक्तियों का प्रयोग करते हुए, यह घोषणा करती है कि उक्त मॉडल के अनुमोदन के इस प्रमाण पत्र के अंतर्गत उसी विनिर्माता द्वारा उसी सिद्धान्त, डिजाइन के अनुसार और उसी सामग्री से, जिससे उक्त अनुमोदित मॉडल का विनिर्माण किया गया है, विनिर्मित उसी शृंखला के वैसे ही मेक, यथार्थता और कार्यपालन के तोलन उपकरण भी होंगे जो 100 मि.ग्रा. या उससे अधिक के “ई” मान के लिए 5,000 से 50,000 तक की रेंज में सत्यापन मापमान अंतराल (एन) सहित 50 कि. ग्राम से अधिक और 500 किलोग्राम तक की अधिकतम क्षमता वाले हैं और “ई” मान  $1 \times 10^3$ ,  $2 \times 10^3$  या  $5 \times 10^3$ , के हैं, जो धनात्मक या ऋणात्मक पूर्णांक या शून्य के समतुल्य है।

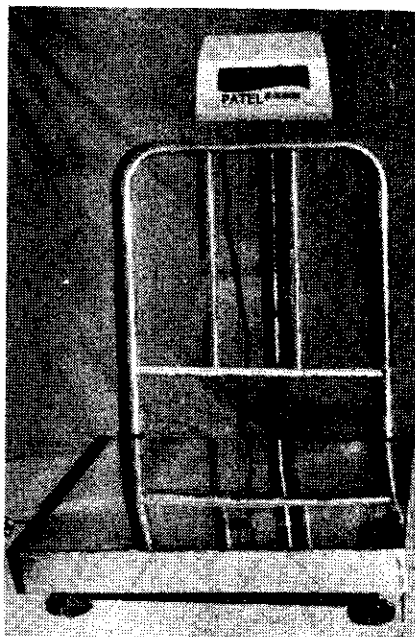
[फा. सं. डब्ल्यू एम-21(257)/2005]

पी. ए. कृष्णामूर्ति, निदेशक, विधिक माप विज्ञान

New Delhi, the 14th June, 2006

**S.O. 2607.**—Whereas the Central Government, after considering the report submitted to it by the prescribed authority, is satisfied that the model described in the said report (see the figure given below) is in conformity with the provisions of the Standards of Weights and Measures Act, 1976 (60 of 1976) and the Standards of Weights and Measures (Approval of Models) Rules, 1987 and the said model is likely to maintain its accuracy over periods of sustained use and to render accurate service under varied conditions;

Now, therefore, in exercise of the powers conferred by Sub-sections (7) and (8) of Section 36 of the said Act, the Central Government hereby issues and publishes the certificate of approval of the model of non-automatic weighing instrument (Platform type) with digital indication of “MW-P-406” series of high accuracy (Accuracy class-II) and with brand name “MACKSON WAY” (hereinafter referred to as the said model), manufactured by M/s. Mackson Way, Street 1, Shivaji Nagar, Savarkundala-364 515 and which is assigned the approval mark IND/09/06/287;



The said model is a strain gauge type load cell based non-automatic weighing instrument (Platform type) with a maximum capacity of 150kg, and minimum capacity is 500g. The verification scale interval (e) is 10g. It has a tare device with a 100 per cent subtractive retained tare effect. The Light Emitting Diode (LED) indicates the weighing result. The instrument operates on 230 Volts and 50 Hertz alternate current power supply.

In addition to sealing the stamping plate, sealing shall also be done to prevent opening of the machine for fraudulent practices. The said model shall not be changed in terms of its material, accuracy, design, circuit diagram, working principle etc. or alteration of any other type before or after sale in India.

Further, in exercise of the powers conferred by sub-section (12) of Section 36 of the said Act, the Central Government hereby declares that this certificate of approval of the said model shall also cover the weighing instruments of similar make, accuracy and performance of same series with maximum capacity ranging above 50kg. to 500 kg. and with number of verification scale interval (n) in the range of 5000 to 50000 for 'e' value of 100mg. or more and with 'e' value of  $1 \times 10^k$ ,  $2 \times 10^k$  or  $5 \times 10^k$ , k being the positive or negative whole number or equal to zero manufactured by the same manufacturer in accordance with the same principle, design and with the same materials with which, the said approved model has been manufactured.

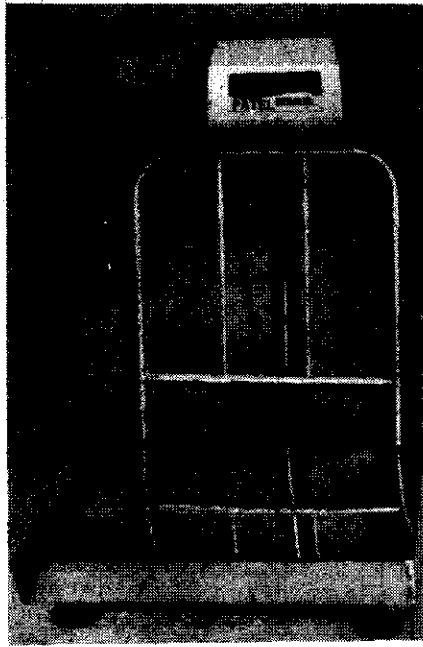
[F. No. WM-21(257)/2005]

P. A. KRISHNAMOORTHY, Director of Legal Metrology

नई दिल्ली, 14 जून, 2006

**का. आ. 2608.**—केन्द्रीय सरकार का, विहित प्राधिकारी द्वारा उसे प्रस्तुत रिपोर्ट पर विचार करने के पश्चात् यह समाधान हो गया कि उक्त रिपोर्ट में वर्णित मॉडल (नीचे दी गई आकृति देखें) बाट और माप मानक अधिनियम, 1976 (1976 का 60) तथा बाट और माप मानक (मॉडलों का अनुमोदन) नियम, 1987 के उपबंधों के अनुरूप है और इस बात की संभावना है कि लगातार प्रयोग की अवधि में भी उक्त मॉडल यथार्थता बनाए रखेगा और विभिन्न परिस्थितियों में उपयुक्त सेवा प्रदान करता रहेगा;

अतः, अब, केन्द्रीय सरकार, उक्त अधिनियम की धारा 36 की उप-धारा (7) और (8) द्वारा प्रदत्त शक्तियों का प्रयोग करते हुए, मैसर्स मैकसन वे, स्ट्रीट 1, शिवाजी नगर, सावरकुण्डला-364515 द्वारा विनिर्मित मध्यम यथार्थता वर्ग (यथार्थता वर्ग-III) वाले “एम डब्ल्यू-पी-410” श्रृंखला के अंकक सूचन सहित, अस्वचालित, तोलन उपकरण (प्लेटफार्म प्रकार) के मॉडल का, जिसके ब्रांड का नाम “मैकसन वे” है (जिसे इसमें इसके पश्चात् उक्त मॉडल कहा गया है) और जिसे अनुमोदन चिन्ह आई एन डी/09/06/288 समनुदेशित किया गया है, अनुमोदन प्रमाण पत्र जारी और प्रकाशित करती है;



उक्त मॉडल एक विकृति गेज प्रकार का भार सेल आधारित अस्वचालित तोलन उपकरण (प्लेटफार्म प्रकार) है। इसकी अधिकतम क्षमता 1000 कि.ग्रा. है और न्यूनतम क्षमता 2 कि.ग्रा. है। सत्यापन मापमान अंतराल (ई) 100 ग्रा. है। इसमें एक आधेयतुलन युक्ति है जिसका शत प्रतिशत व्यवकलनात्मक धारित आधेयतुलन प्रभाव है। प्रकाश उत्सर्जक डायोड (एल ई डी) प्रदर्श तोलन परिणाम उपदर्शित करता है। उपकरण 230 वोल्ट, 50 हर्ट्ज प्रत्यावर्ती धारा विद्युत प्रदाय पर कार्य करता है।

स्टाम्पिंग प्लेट को सील करने के अतिरिक्त मशीन को कपटपूर्ण व्यवहारों के लिए खोले जाने से रोकने के लिए भी सीलबन्द किया जाएगा और मॉडल को इसके सामग्री, यथार्थता, डिजाइन, सर्किट डायग्राम, वर्किंग सिद्धान्त आदि के रूप में कोई परिवर्तन न किया जा सके।

और, केन्द्रीय सरकार, उक्त अधिनियम की धारा 36 की उप-धारा (12) द्वारा प्रदत्त शक्तियों का प्रयोग करते हुए, यह घोषणा करती है कि उक्त मॉडल के अनुमोदन के इस प्रमाण पत्र के अंतर्गत उसी विनिर्माता द्वारा उसी सिद्धान्त, डिजाइन के अनुसार और उसी सामग्री से, जिससे उक्त अनुमोदित मॉडल का निर्माण किया गया है, विनिर्माता उसी श्रृंखला के वैसे ही मेक, यथार्थता और कार्यपालन के तोलन उपकरण भी होंगे जो 5 ग्रा. या उससे अधिक के “ई” मान के लिए 500 से 10000 तक की रेंज में सत्यापन मापमान अंतराल (एन) सहित 50 कि. ग्राम से अधिक और 5000 किलोग्राम तक की अधिकतम क्षमता वाले हैं और “ई” मान  $1 \times 10^3$ ,  $2 \times 10^3$  या  $5 \times 10^3$ , के हैं, जो धनात्मक या ऋणात्मक पूर्णांक या शून्य के समतुल्य है।

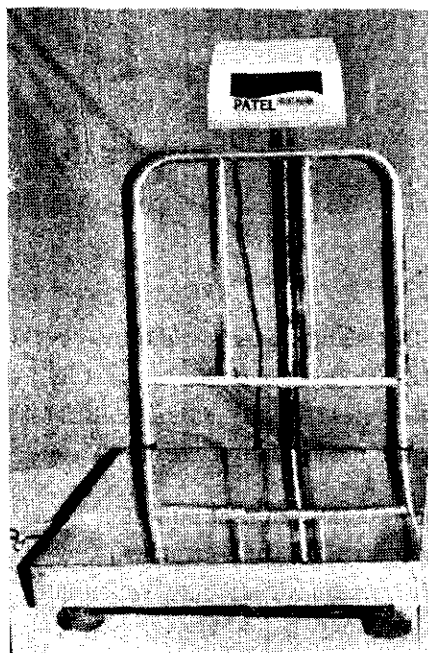
[फा. सं. डब्ल्यू एम-21(257)/2005]

पी. ए. कृष्णामूर्ति, निदेशक, विधिक माप विज्ञान

New Delhi, the 14th June, 2006

**S.O. 2608.**—Whereas the Central Government, after considering the report submitted to it by the prescribed authority, is satisfied that the model described in the said report (see the figure given below) is in conformity with the provisions of the Standards of Weights and Measures Act, 1976 (60 of 1976) and the Standards of Weights and Measures (Approval of Models) Rules, 1987 and the said model is likely to maintain its accuracy over periods of sustained use and to render accurate service under varied conditions;

Now, therefore, in exercise of the powers conferred by Sub-sections (7) and (8) of Section 36 of the said Act, the Central Government hereby issues and publishes the certificate of approval of the model of the self indicating, non-automatic (Platform type) weighing instrument with digital indication of "MW-P-410" series of medium accuracy (Accuracy class-III) and with brand name "MACKSON WAY" (hereinafter referred to as the said model), manufactured by M/s. Mackson Way, Street 1, Shivaji Nagar, Savarkundala-364 515 and which is assigned the approval mark IND/09/2005/288;



The said model is a strain gauge type load cell based weighing instrument with a maximum capacity 1000 kg. and minimum capacity of 2kg. The verification scale interval (e) is 100g. It has a tare device with 100 percent subtractive retained tare effect. The Light Emitting Diode (LED) display indicates the weighing result. The instrument operates on 230 Volts, 50 Hertz alternate current power supply.

In addition to sealing the stamping plate, sealing shall also be done to prevent the opening of the machine for fraudulent practices. The said model shall not be changed in terms of its material, accuracy, design, circuit diagram, working principle etc. or alteration of any other type before or after sale in India.

Further, in exercise of the powers conferred by sub-section (12) of Section 36 of the said Act, the Central Government hereby declares that this certificate of approval of the said model shall also cover the weighing instrument of same series with maximum capacity above 50 kg. and upto 5000 kg. and with number of verification scale interval (n) in the range of 500 to 10,000 for 'e' value of 5g. or more and 'e' value of  $1 \times 10^k$ ,  $2 \times 10^k$  or  $5 \times 10^k$ , k being the positive or negative whole number or equal to zero manufactured by the same manufacturer with the same principle, design and with the same materials with which, the approved model has been manufactured.

[F. No. WM-21(257)/2005]

P. A. KRISHINAMOORTHY, Director of Legal Metrology

## पेट्रोलियम और प्राकृतिक गैस मंत्रालय

नई दिल्ली, 29 जून, 2006

का. आ. 2609.—केन्द्रीय सरकार, पेट्रोलियम और खनिज पाइपलाइन (भूमि में अपयोग के अधिकार का अर्जन) अधिनियम, 1962 (1962 का 50) की धारा 2 के खंड (क) के अनुसरण में, उक्त अधिनियम के अधीन, राजस्थान राज्य क्षेत्र के भीतर रिलायन्स गैस पाइपलाइन लिमिटेड (पूर्व में गैस ट्रांसपोर्टेशन एण्ड इन्फ्रास्ट्रक्चर कम्पनी लिमिटेड के नाम से विदित) की जामनगर-पटियाला पेट्रोलियम उत्पादन पाइपलाइन परियोजना के लिए सक्षम प्राधिकारी के कृत्यों का निर्वहन के लिए, प्रतिनियुक्ति आधार पर 20-04-2007 तक के लिये श्री हेमन्त कुमार सेठ, रा0 प्र0 से0, कार्यकारी अधिकारी, नगर पालिका माउन्ट आबू (सिरोही), राजस्थान सरकार को प्राधिकृत किया जाता है।

[फा. सं. आर-31015/8/2003-ओ.आर.-II]

ए. गोस्वामी, अवर सचिव

**MINISTRY OF PETROLEUM & NATURAL GAS**

New Delhi, the 29th June, 2006

S.O. 2609.—In pursuance to Section 2(a) of the Petroleum and Minerals Pipelines (Acquisition of Right of User in Land) Act, 1962 (50 of 1962), Shri Hemant Kumar Seth (RAS), Executive Officer, Nagar Palika, Mount Abu(Sirohi), Government of Rajasthan, is hereby authorised to perform the functions of the Competent Authority on deputation basis, for a period upto 20.4.2007, under the Act, within the territory of Rajasthan, for Jamnagar-Patiala Petroleum Product Pipeline Project of Reliance Gas Pipelines Limited (earlier known as Gas Transportation & Infrastructure Company Limited).

[F. No. R-31015/8/2003-O.R.-II]

A. GOSWAMI, Under Secy.

नई दिल्ली, 4 जुलाई, 2006

का. आ. 2610.—केन्द्रीय सरकार ने पेट्रोलियम और खनिज पाइपलाइन (भूमि में उपयोग के अधिकार का अर्जन) अधिनियम 1962 (1962 का 50) की धारा 3 की उप-धारा (1) के अधीन जारी, भारत के राजपत्र, तारीख 21.01.2006 एवं 11.02.2006 में प्रकाशित भारत सरकार के पेट्रोलियम और प्राकृतिक गैस मंत्रालय की अधिसूचना संख्या का. आ. 251 तारीख 13.01.2006 एवं संख्या का.आ. 577 तारीख 07.02.2006 द्वारा उस अधिसूचना से उपाबद्ध अनुसूचि तहसील बाजना, जिला रतलाम राज्य मध्यप्रदेश में विनिर्दिष्ट भूमि में कोयली से रतलाम तक पेट्रोलियम उत्पादों के परिवहन के लिये इंडियन ऑयल कॉर्पोरेशन लिमिटेड द्वारा पाइपलाइन बिछाने के प्रयोजन के लिये उपयोग के अधिकार का अर्जन करने के अपने आशय की घोषणा की थी।

और उक्त राजपत्र अधिसूचना की प्रतियां तारीख 21.03.2006 एवं 30.03.2006 से जनता को उपलब्ध करा दी गई थी ;

और सक्षम प्राधिकारी ने उक्त अधिनियम की धारा 6 की उपधारा (1) के अधीन केन्द्रीय सरकार को रिपोर्ट दे दी है ;

और केन्द्रीय सरकार का उक्त रिपोर्ट पर विचार करने के पश्चात् यह समाधान हो गया है कि इस अधिसूचना से उपाबद्ध अनुसूचि में विनिर्दिष्ट भूमि में उपयोग का अधिकार अर्जित किया जाए ;

अतः, अब, केन्द्रीय सरकार उक्त अधिनियम की धारा 6 की उप-धारा (1) द्वारा प्रदत्त शक्तियों का प्रयोग करते हुए यह घोषणा करती है कि पाइपलाइन बिछाने के लिए इस अधिसूचना से उपाबद्ध अनुसूचि में विनिर्दिष्ट भूमि में उपयोग के अधिकार का अर्जन किया जाता है।

और केन्द्रीय सरकार उक्त अधिनियम की धारा 6 की उपधारा (4) द्वारा प्रदत्त शक्तियों का प्रयोग करते हुए यह निर्देश देती है कि उक्त भूमि में उपयोग का अधिकार केन्द्रीय सरकार में निहित होने के बजाय इंडियन ऑयल कॉर्पोरेशन लिमिटेड में सभी विल्लगनों से मुक्त होकर प्रकाशन की इस तारीख से निहित होगा।

## अनुसूचि

तहसील — बाजना		जिला — रतलाम	राज्य— मध्य प्रदेश
क्रमांक	गाँव का नाम	सर्वे नम्बर	क्षेत्रफल हेक्टर में
1	2	3	4
32	जाबड.	264	0.1963
		283/1	0.5930
		266	0.0899
		288	0.0373
		290	0.1040
		291	0.1658
		292	0.0259
		293	0.1948
		294	0.0569
		295	0.2366
		296	0.0384
		297	0.0354
		298	0.2815
		434	1.3725
		468	0.0173
		469	1.2257
		466	0.0108
33	सिन्दुरीया	5/267	0.0160
		35	0.1760
		31	0.0652
		15	0.4423
		16	0.0101
		17	0.0710
		22	0.2496
		52	0.4685
		53	0.1685
		54	0.0050
		49	0.1895
		60	0.0823
		146	0.0306
		149	0.3394
		153	0.1068
		154	0.1923
		156	0.1796
		157	0.0014
		167	0.0694
		165	0.0218
		188	0.0144
34	मोरटक्का	191	0.1394
		192	0.1131
		193	0.0988
		196	0.0410
		195	0.1564
		6	0.2369

1	2	3	4
34	मोरहक्का निरन्तर .....	8	0.0211
		11	0.0763
		12	0.3321
		10	0.0499
		18	0.0876
		19	0.0717
		20	0.0091
		21	0.0686
		94	0.6513
		22	0.1664
		91	0.0625
		89	0.0652
		88	0.1126
		103	0.0354
		102	0.2696
		113	0.1832
		126	0.0639
		125	0.0246
		127	0.1180
		133	0.1018
		130	0.0470
		129	0.0194
		137	0.0847
		136	0.0538
		135	0.0226
		141	0.0440
		153	0.1275
		155	0.0185
		177	0.0509
		174	0.0757
		173	0.0824
		171	0.1241
		184	0.1881
		170	0.0094
35	मलवासी	169	0.0421
		35	0.2898
		32 33	0.0540
		43	0.0378
		58	0.2844
		44	0.1080
		46	0.0270
		53,56	0.2088
		82/1	0.2340
		85	0.0270
		92/2	0.1080
		93/1	0.0360
		87	0.0792
		94	0.0090
		97	0.1620

1	2	3	4
<b>35</b>	मलवासी निरन्तर .....	151/2	0.0540
		155,156	0.0540
		159	0.0288
		160	0.1908
		161	0.0720
		167/2	0.0468
		169/1/1	0.0828
		169/1/3	0.0846
		170/1/2	0.0630
		170/2	0.1170
		170/1/1	0.0450
		176/2	0.0900
		176/1	0.0918
		217/1	0.2016
		237	0.0090
		193	0.1620
		222	0.0540
		256/1	0.1998
		250	0.0648
		252	0.0396
		249	0.0090
		286/1	3.9312
<b>36</b>	बीकापाटन	29	0.4854
		24	0.0012
		1	2.2104
<b>37</b>	बिलडी	430	1.2204
		373	0.4168
		374	0.0793
		375/2	0.0056
		416	0.0491
		378	0.0019
		415	0.1153
		414	0.0587
		469	0.0456
		468/2	0.0252
		468/1	0.0648
		467	0.0110
		483	0.1848
		485	0.0829
		486	0.0174
		507	0.0350
		246	0.1074
		248/2	0.0012
		245	0.2226
		244	0.0818
		237	0.0605
		240	0.0262
		238/3	0.1116
		238/2	0.0864

1	2	3	4
37	बिलडी निरन्तर .....	238/1	0.0180
		156	0.5058
		509	0.0114
		155	0.2286
		154	0.1312
		150	0.0229
		148	0.1915
		149	0.0314
		510	0.7868
		146	0.0011
		143	0.0143
		140	0.1898
38	घामनियां	115/1	1.7172
		115/6	0.4872
		115/3	0.1872
		115/2	0.8496
		97	0.0017
		98	0.0251
		96/17	0.2944
		96/12	0.0456
		96/11	0.1524
		96/14	0.0201
		96/8	0.1440
		96/3	0.0012
		83	0.1542
		84/1	0.1332
		84/2	0.0124
		85	0.0023
		40	0.0108
		68	0.0983
		70/3	0.2664
		70/1	0.0201
		73	0.0056
		72	0.2333
		71/1	0.0108
		71/2	0.0375
39	अमलीपाडा	8	0.1674
		10	0.2256
		13	0.1069
		14	0.1207
		15	0.0285
		6	0.2855
		46	0.2058
		48	0.0507
		49	0.1698
		75	0.7401
		77	0.0268
		86	0.2098
		82	0.5787

1	2	3	4
39	अमलीपाड़ा निरन्तर .....	84	0.7723
		83	0.0288
		134	0.2160
		219	0.0180

[फा. सं. आर-25011/2/2006-ओ.आर.-I]

एस.के. चितकारा, अवर सचिव

New Delhi, the 4th July, 2006

**S. O. 2610.**—Whereas by the notification of the Government of India, Ministry of Petroleum and Natural Gas, number S.O. 251 dated 13.01.2006 and S.O. 577 dated 07.02.2006 issued under sub section (1) of section 3 of the Petroleum and Minerals Pipelines (Acquisition of Right of user in Land) Act, 1962 (50 of 1962) published in the Gazette of India dated 21.01.2006 and 11-02-2006, the Central Government declared its intention to acquire the right of user in the land specified in the schedule annexed to Tehsil Bajna, Dist Ratlam, State Madhya Pradesh, for the purpose of laying pipeline for the transportation of Petroleum Products from Koyali to Ratlam in the State of Madhya Pradesh by the Indian Oil Corporation Limited.

And whereas, the copies of the said Gazette notification were made available to the general public on 21.03.2006 and 30.03.2006

And whereas the Competent Authority has under sub-section (1) of section 6 of the said Act, submitted report to the Central Government ;

And whereas, the Central Government after considering the said report is satisfied that right of user in the land specified in the schedule appended to this notification should be acquired,

Now, therefore, in exercise of the powers conferred by sub-section (1) of the section 6 of the said Act, the Central Government hereby declares that the right of user in the land specified in the Schedule annexed to this notification is hereby acquired for laying the pipeline,

And further in exercise of the powers conferred by sub-section (4) of section 6 of the said Act, the Central Government hereby direct that the right of user in the said land shall instead of vesting in the Central Government, vest from the date of the publication of this declaration in the Indian Oil Corporation Limited, free from all encumbrances.

## Schedule

Tehsil :- Bajna		District :- Ratlam	State :- Madhyapradesh
SL.NO.	Name of Village	SURVEY NO	AREA IN HECTARE
1	2	3	4
32	Jabod	264	0.1963
		283/1	0.5930
		266	0.0899
		288	0.0373
		290	0.1040
		291	0.1658
		292	0.0259
		293	0.1948
		294	0.0569
		295	0.2366
		296	0.0384
		297	0.0354
		298	0.2815
		434	1.3725
		468	0.0173
		469	1.2257
		466	0.0108
33	Sinduriya	5/267	0.0160
		35	0.1760
		31	0.0652
		15	0.4423
		16	0.0101
		17	0.0710
		22	0.2496
		52	0.4685
		53	0.1685
		54	0.0050
		49	0.1895
		60	0.0823
		146	0.0306
		149	0.3394
		153	0.1068
		154	0.1923
		156	0.1796
		157	0.0014
		167	0.0694
		165	0.0218
		188	0.0144
		191	0.1394
		192	0.1131
		193	0.0988
		196	0.0410

1	2	3	4
33	Sinduriya Conted....	195	0.1564
34	Mortukka	6	0.2369
		8	0.0211
		11	0.0763
		12	0.3321
		10	0.0499
		18	0.0876
		19	0.0717
		20	0.0091
		21	0.0686
		94	0.6513
		22	0.1664
		91	0.0625
		89	0.0652
		88	0.1126
		103	0.0354
		102	0.2696
		113	0.1832
		126	0.0639
		125	0.0246
		127	0.1180
		133	0.1018
		130	0.0470
		129	0.0194
		137	0.0847
		136	0.0538
		135	0.0226
		141	0.0440
		153	0.1275
		155	0.0185
		177	0.0509
		174	0.0757
		173	0.0824
		171	0.1241
		184	0.1881
		170	0.0094
		169	0.0421
35	Malwasi	35	0.2898
		32 33	0.0540
		43	0.0378
		58	0.2844
		44	0.1080
		46	0.0270
		53, 56	0.2088
		82/1	0.2340
		85	0.0270

1	2	3	4
35	Malwasi Conted...	92/2	0.1080
		93/1	0.0360
		87	0.0792
		94	0.0090
		97	0.1620
		151/2	0.0540
		155,156	0.0540
		159	0.0288
		160	0.1908
		161	0.0720
		167/2	0.0468
		169/1/1	0.0828
		169/1/3	0.0846
		170/1/2	0.0630
		170/2	0.1170
		170/1/1	0.0450
		176/2	0.0900
		176/1	0.0918
		217/1	0.2016
		237	0.0090
		193	0.1620
		222	0.0540
		256/1	0.1998
		250	0.0648
		252	0.0396
		249	0.0090
		286/1	3.9312
36	Bikapatan	29	0.4854
		24	0.0012
		1	2.2104
37	Bildi	430	1.2204
		373	0.4168
		374	0.0793
		375/2	0.0056
		416	0.0491
		378	0.0019
		415	0.1153
		414	0.0587
		469	0.0456
		468/2	0.0252
		468/1	0.0648
		467	0.0110
		483	0.1848
		485	0.0829
		486	0.0174
		507	0.0350

1	2	3	4
37	Bildi Conted...	246	0.1074
		248/2	0.0012
		245	0.2226
		244	0.0818
		237	0.0605
		240	0.0262
		238/3	0.1116
		238/2	0.0864
		238/1	0.0180
		156	0.5058
		509	0.0114
		155	0.2286
		154	0.1312
		150	0.0229
		148	0.1915
		149	0.0314
		510	0.7868
		146	0.0011
		143	0.0143
		140	0.1898
38	Dhamniya	115/1	1.7172
		115/6	0.4872
		115/3	0.1872
		115/2	0.8496
		97	0.0017
		98	0.0251
		96/17	0.2944
		96/12	0.0456
		96/11	0.1524
		96/14	0.0201
		96/8	0.1440
		96/3	0.0012
		83	0.1542
		84/1	0.1332
		84/2	0.0124
		85	0.0023
		40	0.0108
		68	0.0983
		70/3	0.2664
		70/1	0.0201
		73	0.0056
		72	0.2333
		71/1	0.0108
		71/2	0.0375
39	Amlipara	8	0.1674
		10	0.2256
		13	0.1069

1	2	3	4
39	Amlipara Conted...	14	0.1207
		15	0.0285
		6	0.2855
		46	0.2058
		48	0.0507
		49	0.1698
		75	0.7401
		77	0.0268
		86	0.2098
		82	0.5787
		84	0.7723
		83	0.0288
		134	0.2160
		219	0.0180

[F. No. R-25011/2/2006-O.R.-I]  
S. K. CHITKARA, Under Secy.

नई दिल्ली, 4 जुलाई, 2006

का. आ. 2611.—केन्द्रीय सरकार ने पेट्रोलियम और खनिज पाइपलाइन (भूमि में उपयोग के अधिकार का अर्जन) अधिनियम 1962 (1962 का 50) की धारा 3 की उप-धारा (1) के अधीन जारी, भारत के राजपत्र, तारीख 21.01.2006 में प्रकाशित भारत सरकार के पेट्रोलियम और प्राकृतिक गैस मंत्रालय की अधिसूचना संख्या का. आ. 252 तारीख 13.01.2006 द्वारा उस अधिसूचना से उपाबद्ध अनुसूचि तहसील रतलाम जिला रतलाम राज्य मध्यप्रदेश में विनिर्दिष्ट भूमि में कोयली से रतलाम तक पेट्रोलियम उत्पादों के परिवहन के लिये इंडियन ऑयल कॉर्पोरेशन लिमिटेड द्वारा पाइपलाइन बिछाने के प्रयोजन के लिये उपयोग के अधिकार का अर्जन करने के अपने आशय की घोषणा की थी।

और उक्त राजपत्र अधिसूचना की प्रतियां तारीख 21.03.2006 से जनता को उपलब्ध करा दी गई थी ;

और सक्षम प्राधिकारी ने उक्त अधिनियम की धारा 6 की उपधारा (1) के अधीन केन्द्रीय सरकार को रिपोर्ट दे दी है ;

और केन्द्रीय सरकार का उक्त रिपोर्ट पर विचार करने के पश्चात् यह समाधान हो गया है कि इस अधिसूचना से उपाबद्ध अनुसूचि में विनिर्दिष्ट भूमि में उपयोग का अधिकार अर्जित किया जाए ;

अतः, अब, केन्द्रीय सरकार उक्त अधिनियम की धारा 6 की उप-धारा (1) द्वारा प्रदत्त शक्तियों का प्रयोग करते हुए यह घोषणा करती है कि पाइपलाइन बिछाने के लिए इस अधिसूचना से उपाबद्ध अनुसूचि में विनिर्दिष्ट भूमि में उपयोग के अधिकार का अर्जन किया जाता है।

और केन्द्रीय सरकार उक्त अधिनियम की धारा 6 की उपधारा (4) द्वारा प्रदत्त शक्तियों का प्रयोग करते हुए यह निर्देश देती है कि उक्त भूमि में उपयोग का अधिकार केन्द्रीय सरकार में निहित होने के बजाय इंडियन ऑयल कॉर्पोरेशन लिमिटेड में सभी विल्लगनों से मुक्त होकर प्रकाशन की इस तारीख से निहित होगा।

## अनुसूची

तहसील — रतलाम		जिला — रतलाम	राज्य — मध्य प्रदेश
क्रमांक	गाँव का नाम	सर्वे नम्बर	क्षेत्रफल हेक्टर में
1	2	3	4
40	घबई पाडा	111	0.0072
		61	0.1485
		62	0.1080
		67/1	0.2658
		10/1/1/A	0.6120
		63	0.2103
		10/13	0.0013
		53	0.1903
		52	0.0088
		50	0.2310
		49	0.2884
		10/1/1/10	0.1296
		10/1/1/4	0.0828
		10/1/3	0.1271
		10/1/4	0.1190
		10/1/5	0.1196
		10/1/6	0.1253
		10/1/7	0.1129
		10/1/8	0.1202
		10/1/9	0.1414
		12	0.0038
		1/10/10	0.7135
		10/1/1/53/2	0.2245
		13/4	0.0181
		11	0.2166
41	राजपुरा	1	0.0120
		2/1/9	0.2808
		2/12	0.2160
		2/4/1	1.0800
42	सावलियारुण्डी	145	0.0421
		19/1/1	1.0337
		10	0.0175
		100/2	0.1983
		101/4	0.0036
		101/3	0.1917
		143	0.0783
		102/1/2	0.0032
		102/1/1/2	0.1409
		102/1/1/1	0.0735
		103	0.3863

1	2	3	4
42	सावलियारुडी निरन्तर...	104/3	0.0084
		104/2	0.2228
		104/1	0.0226
		109	0.1059
		110	0.0796
		112	0.1452
		113/1	0.0422
		113/3	0.0819
		113/2	0.0463
		69	0.3249
		70	0.1127
		68/2	0.1867
		68/1	0.0137
		63	0.2664
		60	0.0083
		62/1	0.2032
43	सरवनीखुर्द	223	0.2577
		225	0.0882
		224	0.0112
		226	0.1558
		298	0.0102
		293	0.0801
		295	0.0499
		294	0.0186
		291	0.1485
		136	0.0121
		245	0.0051
		246	0.1135
		134	0.0181
		118	0.0459
		119	0.1390
		117	0.0788
		115	0.0832
		116	0.0985
		57	0.1296
		63	0.3084
		64	0.0978
		74/1	0.3768
		71	0.1875
		74/2	0.1226
44	बिबडोद	479	0.0886
		487	0.0430
		486/2	0.3437
		480	0.0163
		495	0.0397

1	2	3	4
44	बिबडोद निरन्तर	498	0.0861
		496	0.0072
		497	0.0814
		501	0.0819
		499/1	0.0290
		500	0.0107
		454	0.0688
		455	0.0379
		457	0.0096
		456	0.1011
		458	0.2491
		466/1/1	0.6689
		464	0.0228
		209/1	0.4735
		35	0.0951
		32	2.2328
		31	0.1562
45	जुलवानिया	38/1/5	0.6321
		55	0.0015
		50	0.2002
		49	0.0021
		38/1/1	0.0852
		44/1	0.0047
		43/2	0.3796
		58	0.0407
		59/2	0.0472
		84	0.0122
		26/3	0.1080
		26/1	0.1859
		25	0.1728
		64	0.0948
		66/4	0.0559
		66/3	0.1224
		67/2/1	0.1618
		67/2/2	0.0396
		79/1	0.0676
		78	0.2114
		77/1	0.0825
		75	0.0090
		76	0.0549
		106	0.0546
		107	0.0012
		108	0.3604
		110	0.0891
		102/6	0.1773

1	2	3	4
45	जुलवानिया निरन्तर	105	0.1765
		114	0.1856
		136	0.3667
		134	0.1728
		126	0.2423
		167	0.1856
		147	0.0910
		149	0.2448
		164	0.0137
47	बंजली	48/1	0.0607
		33	0.0266
		270/1	0.1867
		269/1/1	0.0377
		272	0.0996
		273/1	0.2336
		314/1	0.5897
		311/1	0.2407
		310	0.1152
		311/2	0.1413
		309/2	0.1240
		304	0.0998
		303	0.0849
48	सेजावता	308/1	0.2042
		307	0.0483
		309	0.0335
		306/2	0.1998
		305	0.1368
		312/1	0.0698
		304/1	0.1071
		314/2	0.0413
		304/2	0.0870
		297/1	0.1368
		297/2	0.2279
		296/2	0.0312
		292/2	0.1956
		292/3	0.0646
		292/4	0.0279
		292/1	0.0092
		293/4	0.1011
		293/3	0.0234
		25	0.2282
		26/1	0.0410
		24	0.0806
		27/1	0.0656
		27/2	0.1644

1	2	3	4
48	सेजावता निरन्तर...	30/5	0.3971
		29	0.1052
		31/1	0.0673
		34	0.2548
		42	0.0180
		45/1	0.0933
		46	0.1418
		47	0.0919
		49/1	0.0338
		48	0.0573
		59	0.0713
		81/3	0.1941
		81/4	0.2266
		80/1	0.8709
		80/11	0.0053
		97	0.0495
		131/8	0.0900
		131/5	0.0864
		131/10	0.0823
		129	0.0139
		128/3	0.0179
		128/2	0.0355
		128/7	0.3754
		162/1	0.1687
		162/2	0.1943
		166/509/2	0.0807
		166/6	0.0792
		166/2	0.1440
		166/12	0.1293
		167	0.0753
		166/3/1	0.0108
		118/4	0.0019
		118/5	0.0489
		168/3	0.1014
		168/5	0.1022
		168/6	0.0951
		168/7	0.1110
		169/1	0.0369
		169/2	0.0478
		168/1	0.1626
		169/4	0.0808
		168/4	0.2234
		177/5	0.1867
		177/1	0.0958
		179	0.0199

1	2	3	4
48	सेजावता निरन्तर..	180/1	0.1094
		181/7	0.0055
		181/1	0.2276
		181/11	0.2525
		181/2	0.0146
		467	0.0388
49	बांगरोद	927/1	0.0762
		924/4	0.1520
		925/2	0.2821
		928/3	0.0896
		928/2	0.2060
		931/2	0.0672
		931/1	0.1397
		932/1	0.0540
		932/3	0.2850
		932/4	0.1656
		933	0.0035
		932/2	0.0504
		950	0.0413
		951	0.0775
		953	0.0841
		974/1	0.1008
		974/2	0.1260
		974/3	0.1080
		974/4	0.1692
		974/6	0.2160
		978	0.0969
		980	0.1237
		982/1	0.0054
		1038	0.0396
		977	0.0133
		1314	0.0481
		1259/1	0.0612
		1259/2	0.0468
		1259/3	0.0360
		1260	0.1275
		1259/4	0.0720
		1263	0.0589
		1264	0.1628
		1257	0.0210
		1235	0.1387
		1238	0.0602
		1214	0.0886
		1215	0.0051
		1216	0.0442

1	2	3	4
49	बांगरोद निरन्तर....	1213/1	0.0140
		1213/2	0.0014
		1211/1	0.0936
		1209	0.0868
		1197	0.0572
		1195	0.1123
		1194	0.0591
		1192	0.0247
		1193	0.0180
		1347	0.0146
		1348	0.0436
		1402/3	0.0648
		1402/1	0.3488
		1402/2	0.1224
		1403/3	0.0586
		1404/3	0.0362
		1406	0.0431
		1444	0.0600
		1438	0.3528
		1495	0.0547
		1496	0.0758
		1494/1	0.0857
		1493	0.0668
		1484/1	0.0792
		1484/6	0.1152
		1509	0.0038
		1511	0.0691
		1512	0.0640
		1513	0.0124
		1514	0.0452
		1514/1632	0.0676
		1523	0.3112
		745	0.0283
		712/2	0.0162
		709/1	0.0360
		709/2	0.0372
		709/3	0.0358
		709/4	0.0368
		709/5	0.0504
		708/1616/1	0.0288
		708/1616/2	0.0648
		708/2	0.3221
		706/2	0.0013
		707/2	0.1800
		707/3	0.1812

1	2	3	4
49	बांगरोद निरन्तर....	703 702	0.2198 0.1015

[फा. सं. आर-25011/2/2006-ओ.आर.-I]

एस.के. चितकारा, अवर सचिव

New Delhi, the 4th July, 2006

S. O. 2611.—Whereas by the notification of the Government of India, Ministry of Petroleum and Natural Gas, number S.O. 252 dated 13.01.2006 issued under sub section (1) of section 3 of the Petroleum and Minerals Pipelines (Acquisition of Right of user in Land) Act, 1962 (50 of 1962) published in the Gazette of India dated 21.01.2006, the Central Government declared its intention to acquire the right of user in the land specified in the schedule annexed to Tehsil Ratlam, Dist Ratlam, State Madhya Pradesh, for the purpose of laying pipeline for the transportation of Petroleum Products from Koyali to Ratlam in the State of Madhya Pradesh by the Indian Oil Corporation Limited,

And whereas, the copies of the said Gazette notification were made available to the general public on 21.03.2006

And whereas the Competent Authority has under sub-section (1) of section 6 of the said Act, submitted report to the Central Government ;

And whereas, the Central Government after considering the said report is satisfied that right of user in the land specified in the schedule appended to this notification should be acquired,

Now, therefore, in exercise of the powers conferred by sub-section (1) of the section 6 of the said Act. the Central Government hereby declares that the right of user in the land specified in the Schedule annexed to this notification is hereby acquired for laying the pipeline,

And further in exercise of the powers conferred by sub-section (4) of section 6 of the said Act, the Central Government hereby direct that the right of user in the said land shall instead of vesting in the Central Government, vest from the date of the publication of this declaration in the Indian Oil Corporation Limited, free from all encumbrances.

**Schedule**

Tehsil :- Ratlam		District :- Ratlam	State:-Madhyapradesh
SL. NO.	Name of Village	SURVEY NO	Area in Hectare
1	2	3	4
40	Dhabaipara	111	0.0072
		61	0.1485
		62	0.1080
		67/1	0.2658
		10/1/1/A	0.6120
		63	0.2103
		10/13	0.0013
		53	0.1903
		52	0.0088
		50	0.2310
		49	0.2884
		10/1/1/10	0.1296
		10/1/1/4	0.0828
		10/1/3	0.1271
		10/1/4	0.1190
		10/1/5	0.1196
		10/1/6	0.1253
		10/1/7	0.1129
		10/1/8	0.1202
		10/1/9	0.1414
		12	0.0038
		1/10/10	0.7135
		10/1/1/53/2	0.2245
		13/4	0.0181
41	Rajpura	11	0.2166
		1	0.0120
		2/1/9	0.2808
		2/12	0.2160
42	Sawaliyarundi	2/4/1	1.0800
		145	0.0421
		19/1/1	1.0337
		10	0.0175
		100/2	0.1983
		101/4	0.0036
		101/3	0.1917
		143	0.0783
		102/1/2	0.0032
		102/1/1/2	0.1409
		102/1/1/1	0.0735
		103	0.3863
		104/3	0.0084
		104/2	0.2228

1	2	3	4
42	Sawaliyarundi Conte..	104/1	0.0226
		109	0.1059
		110	0.0796
		112	0.1452
		113/1	0.0422
		113/3	0.0819
		113/2	0.0463
		69	0.3249
		70	0.1127
		68/2	0.1867
		68/1	0.0137
		63	0.2664
		60	0.0083
		62/1	0.2032
43 .	Sarwanikhurd	223	0.2577
		225	0.0882
		224	0.0112
		226	0.1558
		298	0.0102
		293	0.0801
		295	0.0499
		294	0.0186
		291	0.1485
		136	0.0121
		245	0.0051
		246	0.1135
		134	0.0181
		118	0.0459
		119	0.1390
		117	0.0788
		115	0.0832
		116	0.0985
		57	0.1296
		63	0.3084
		64	0.0978
		74/1	0.3768
		71	0.1875
		74/2	0.1226
44	Bibdod	479	0.0886
		487	0.0430
		486/2	0.3437
		480	0.0163
		495	0.0397
		498	0.0861
		496	0.0072

1	2	3	4
44	Bibdod Conte...	497	0.0814
		501	0.0819
		499/1	0.0290
		500	0.0107
		454	0.0688
		455	0.0379
		457	0.0096
		456	0.1011
		458	0.2491
		466/1/1	0.6689
		464	0.0228
		209/1	0.4735
		35	0.0951
		32	2.2328
		31	0.1562
45	Julwaniya	38/1/5	0.6321
		55	0.0015
		50	0.2002
		49	0.0021
		38/1/1	0.0852
		44/1	0.0047
		43/2	0.3796
		58	0.0407
		59/2	0.0472
		84	0.0122
		26/3	0.1080
		26/1	0.1859
		25	0.1728
		64	0.0948
		66/4	0.0559
		66/3	0.1224
		67/2/1	0.1618
		67/2/2	0.0396
		79/1	0.0676
		78	0.2114
		77/1	0.0825
		75	0.0090
		76	0.0549
		106	0.0546
		107	0.0012
		108	0.3604
		110	0.0891
		102/6	0.1773
		105	0.1765
		114	0.1856

1	2	3	4
45	Julwaniya Conte...	136	0.3667
		134	0.1728
		126	0.2423
		167	0.1856
		147	0.0910
		149	0.2448
		164	0.0137
47	Banjali	48/1	0.0607
		33	0.0266
		270/1	0.1867
		269/1/1	0.0377
		272	0.0996
		273/1	0.2336
		314/1	0.5897
		311/1	0.2407
		310	0.1152
		311/2	0.1413
		309/2	0.1240
		304	0.0998
		303	0.0849
48	Sejawata	308/1	0.2042
		307	0.0483
		309	0.0335
		306/2	0.1998
		305	0.1368
		312/1	0.0698
		304/1	0.1071
		314/2	0.0413
		304/2	0.0870
		297/1	0.1368
		297/2	0.2279
		296/2	0.0312
		292/2	0.1956
		292/3	0.0646
		292/4	0.0279
		292/1	0.0092
		293/4	0.1011
		293/3	0.0234
		25	0.2282
		26/1	0.0410
		24	0.0806
		27/1	0.0656
		27/2	0.1644
		30/5	0.3971
		29	0.1052

1	2	3	4
48	Sejawata Conte...	31/1	0.0673
		34	0.2548
		42	0.0180
		45/1	0.0933
		46	0.1418
		47	0.0919
		49/1	0.0338
		48	0.0573
		59	0.0713
		81/3	0.1941
		81/4	0.2266
		80/1	0.8709
		80/11	0.0053
		97	0.0495
		131/8	0.0900
		131/5	0.0864
		131/10	0.0823
		129	0.0139
		128/3	0.0179
		128/2	0.0355
		128/7	0.3754
		162/1	0.1687
		162/2	0.1943
		166/509/2	0.0807
		166/6	0.0792
		166/2	0.1440
		166/12	0.1293
		167	0.0753
		166/3/1	0.0108
		118/4	0.0019
		118/5	0.0489
		168/3	0.1014
		168/5	0.1022
		168/6	0.0951
		168/7	0.1110
		169/1	0.0369
		169/2	0.0478
		168/1	0.1626
		169/4	0.0808
		168/4	0.2234
		177/5	0.1867
		177/1	0.0958
		179	0.0199
		180/1	0.1094
		181/7	0.0055

1	2	3	4
48	Sejawata Conte...	181/1	0.2276
		181/11	0.2525
		181/2	0.0146
		467	0.0388
49	Bangrod	927/1	0.0762
		924/4	0.1520
		925/2	0.2821
		928/3	0.0896
		928/2	0.2060
		931/2	0.0672
		931/1	0.1397
		932/1	0.0540
		932/3	0.2850
		932/4	0.1656
		933	0.0035
		932/2	0.0504
		950	0.0413
		951	0.0775
		953	0.0841
		974/1	0.1008
		974/2	0.1260
		974/3	0.1080
		974/4	0.1692
		974/6	0.2160
		978	0.0969
		980	0.1237
		982/1	0.0054
		1038	0.0396
		977	0.0133
		1314	0.0481
		1259/1	0.0612
		1259/2	0.0468
		1259/3	0.0360
		1260	0.1275
		1259/4	0.0720
		1263	0.0589
		1264	0.1628
		1257	0.0210
		1235	0.1387
		1238	0.0602
		1214	0.0886
		1215	0.0051
		1216	0.0442
		1213/1	0.0140
		1213/2	0.0014

1	2	3	4
49	Bangrod Conte...	1211/1	0.0936
		1209	0.0868
		1197	0.0572
		1195	0.1123
		1194	0.0591
		1192	0.0247
		1193	0.0180
		1347	0.0146
		1348	0.0436
		1402/3	0.0648
		1402/1	0.3488
		1402/2	0.1224
		1403/3	0.0586
		1404/3	0.0362
		1406	0.0431
		1444	0.0600
		1438	0.3528
		1495	0.0547
		1496	0.0758
		1494/1	0.0857
		1493	0.0668
		1484/1	0.0792
		1484/6	0.1152
		1509	0.0038
		1511	0.0691
		1512	0.0640
		1513	0.0124
		1514	0.0452
		1514/1632	0.0676
		1523	0.3112
		745	0.0283
		712/2	0.0162
		709/1	0.0360
		709/2	0.0372
		709/3	0.0358
		709/4	0.0368
		709/5	0.0504
		708/1616/1	0.0288
		708/1616/2	0.0648
		708/2	0.3221
		706/2	0.0013
		707/2	0.1800
		707/3	0.1812

1	2	3	4
	<b>Bangrod Conte...</b>	703	0.2198
		702	0.1015

[F. No. R-25011/2/2006-O.R.-I]  
S. K. CHITKARA, Under Secy

नई दिल्ली, 4 जुलाई, 2006

**का. आ. 2612.**—केन्द्रीय सरकार ने पेट्रोलियम और खनिज पाइपलाइन (भूमि में उपयोग के अधिकार का अर्जन) अधिनियम 1962 (1962 का 50) की धारा 3 की उप-धारा (1) के अधीन जारी, भारत के राजपत्र, तारीख 21.01.2006 में प्रकाशित भारत सरकार के पेट्रोलियम और प्राकृतिक गैस मंत्रालय की अधिसूचना संख्या का आ. 253 तारीख 13.01.2006 द्वारा उस अधिसूचना से उपाबद्ध अनुसूचि तहसील थांदला जिला झाबुआ राज्य मध्यप्रदेश में विनिर्दिष्ट भूमि में कोयली से रतलाम तक पेट्रोलियम उत्पादों के परिवहन के लिये इंडियन ऑयल कॉर्पोरेशन लिमिटेड द्वारा पाइपलाइन बिछाने के प्रयोजन के लिये उपयोग के अधिकार का अर्जन करने के अपने आशय की घोषणा की थी।

और उक्त राजपत्र अधिसूचना की प्रतियां तारीख 21.03.2006 से जनता को उपलब्ध करा दी गई थी ;

और सक्षम प्राधिकारी ने उक्त अधिनियम की धारा 6 की उपधारा (1) के अधीन केन्द्रीय सरकार को रिपोर्ट दे दी है ;

और केन्द्रीय सरकार का उक्त रिपोर्ट पर विचार करने के पश्चात् यह समाधान हो गया है कि इस अधिसूचना से उपाबद्ध अनुसूचि में विनिर्दिष्ट भूमि में उपयोग का अधिकार अर्जित किया जाए ;

अतः, अब, केन्द्रीय सरकार उक्त अधिनियम की धारा 6 की उप-धारा (1) द्वारा प्रदत्त शक्तियों का प्रयोग करते हुए यह घोषणा करती है कि पाइपलाइन बिछाने के लिए इस अधिसूचना से उपाबद्ध अनुसूचि में विनिर्दिष्ट भूमि में उपयोग के अधिकार का अर्जन किया जाता है।

और केन्द्रीय सरकार उक्त अधिनियम की धारा 6 की उपधारा (4) द्वारा प्रदत्त शक्तियों का प्रयोग करते हुए यह निर्देश देती है कि उक्त भूमि में उपयोग का अधिकार केन्द्रीय सरकार में निहित होने के बजाय इंडियन ऑयल कॉर्पोरेशन लिमिटेड में सभी विल्लगनों से मुक्त होकर प्रकाशन की इस तारीख से निहित होगा।

## अनुसूचि

तहसील—थांदला		जिला—झाबुआ	राज्य—मध्य प्रदेश
क्रमांक	गाँव का नाम	सर्वे नम्बर	क्षेत्रफल हेक्टर में
1	2	3	4
18	सेमलपाडा	182	0.0250
		183	0.0314
		190	0.0977
		188	0.1249
		186	0.1060
		185	0.0294
		71	0.0504
22	गुलरीपाडा	168	0.1536
		167	0.1819
		175	0.0983
		176	0.0797
		173	0.0094
		177	0.0752
		178	0.1112
		179	0.0011
		180	0.1031
		181	0.0541
		182	0.0863
		198	0.0127
		364	0.2064
		199	0.1758
		346	0.0114
		345	0.1619
		344	0.1581
		343	0.0631
		336	0.0355
		335	0.0169
		334/2	0.1368
		334/1	0.2428
		333	0.2099
		332	0.0393
23	पाटडी	7	0.2957
		6	0.2347
		5	0.2967
		4	0.0018
		65	0.4506
		70	0.0167
		67	0.0252
		69	0.1555
24	सागवा	499	0.2713

1	2	3	4
24	सागवा निरन्तर.....	497/4	0.0550
		500/1	0.0398
		500/2	0.0368
		500/3	0.0420
		500/4	0.1118
		501	0.2588
		502/1	0.1167
		502/2	0.1502
		512	0.0405
		496	0.0143
		493	0.1868
		476	0.1470
		477	0.0819
		478	0.1136
		451	0.0171
		438	0.0109
		439	0.1130
		444	0.0799
		440	0.1123
		441	0.0230
		431	0.0433
		424	0.3573
		423	0.2910
		आरक्षीत वन	2.0196
25	खवासा	1855	0.1612
		1854	0.0164
		1832	0.0065
		1828	0.0430
		1829	0.0354
		1830	0.0106
		1831	0.0010
		1827	0.1219
		1675	0.0648
		1826	0.1706
		1821	0.1266
		1822	0.1559
		1823	0.1175
		1818	0.1766
		1796	0.0606
		1797	0.0888
		1798	0.0019
		1799	0.0213
		1800	0.1130
		1801	0.0185
		1791	0.0331

1	2	3	4
25	खवासा निरन्तर.....	1802	0.0145
		1768	0.0573
		1767	0.1929
		1222	0.0143
		1225	0.1284
		1226	0.1894
		1227	0.0302
		1228/1	0.0437
		1231	0.0292
		1232/3	0.1396
		1232/2	0.1038
		1232/1	0.0014
		1239	0.0197
		1238	0.0643
		1241	0.0570
		1242	0.0511
		1244	0.0142
		1243	0.0361
		1236	0.0011
		1245	0.0024
		1246	0.0614
		1247	0.0207
		1249	0.1213
		1253	0.1332
		1257/1	0.3528
		1257/2	0.3024
		1176	0.0597
		1161/2	0.5616
		1160	0.2452
		1162	0.1584
		1163	0.0117
		1169	0.5738
		1164	0.0648
		1067	0.0025
		1061	0.0028
		1060	0.0792
		1065	0.2736
		980	0.0468
		982	0.6120
		979	0.1080
		978	0.0096
26	नारेला	479	1.1067
		481	0.0939
		480	0.0012

1	2	3	4
26	नारेला निरन्तर.....	482	0.1362
		483	0.0030
		478	0.1260
		471	0.0252
		472	0.1189
		451	0.0108
		47	0.1989
		51	0.0527
		52	0.1362
		53	0.0015
		55	0.0011
		54	0.1520
		58	0.0603
		66	0.0484
		65	0.0308
		61	0.2025
		62	0.1093
		30	0.0044
		27	0.0213
		63	0.0710
		64	0.0088
		26	0.0011
		23	0.0468
		22	0.0417
		24	0.0012
		21	0.0168
		19	0.0058
		20	0.0654
		339	0.0608
		147	0.1089
		152	0.0078
		151	0.1295
		150	0.0014
		148	0.0016
		149	0.0994
		158	0.0182
		159	0.1080
		142	0.0013
		160	0.0214
		168	0.0162
		140	0.0786
		172	0.0194
		173	0.0277
		174	0.0095

1	2	3	4
26	नारेला निरन्तर.....	179	0.0021
		178	0.1317
		180	0.0130
		187	0.1080
		186	0.0792
		188	0.0648
27	सेमलिया	960	0.0549
		961	0.0138
		962	0.1122
		965/2	0.2152
		965/1	0.1118
		966	0.0017
		974	0.0183
		922	0.0123
		979	0.1310
		978	0.0148
		977	0.2402
		976	0.1980
		986	0.1652
		1002	0.0372
		1009 P	0.1334
		1996	0.2502
		1995	0.2012
		1993	0.0071
		1997	0.1574
		1998	0.0833
		1999	0.0635
		1990	0.4903
		2003	0.0280
		1987	0.0935
28	मेरुगढ	222	0.1236
		219	0.0767
		218	0.0127
		217	0.1653
		216	0.0373
		90	0.0011
		211	0.0796
		92	0.0926
		93	0.0310
		102	0.0153
		87	0.1254
		86	0.0718
		6	0.1173
		8	0.1798

1	2	3	4
28	भेरुगढ निरन्तर.....	9	0.0821
		81	0.0841
		10	0.0625
		76	0.0244
		12	0.0205
		13	0.0278
		15	0.0151
		14	0.0578
29	रुक्मणीपाडा	176	0.0499
		128	0.0760
		129	0.0185
		132	0.1170
		133	0.0814
		134	0.1197
		136	0.0757
		143	0.0121
		142	0.1085
		140	0.1402
		141	0.0133
		139	0.0547
		123	0.0341
		64	0.1960
		65	0.0602
		66	0.0791
		92	0.0020
		78	0.0739
		84	0.0279
		91	0.0965
		95	0.0249
		90	0.0025
		96	0.1258
		89	0.0865
		85	0.1381
		86	0.0191
		54	0.0272
30	चरपोटी पाडा	102	0.0317
		96	0.0209
		97	0.0629
		98	0.0599
		99	0.0579
		95	0.0274
		100	0.0771
		101	0.0065
31	नहारपुरा	211	0.0228
		234	0.0878

1	2	3	4
31	नहारपुरा निरन्तर.....	235	0.1056
		236	0.2588
		229	0.1613
		230	0.0012
		228/1	0.2532
		292	0.0191
		291	0.1315
		290	0.0078
		294	0.1249
		293	0.0403
		305/2	0.0628
		305/1	0.0614
		208	0.0220
		143/1	0.1372
		143/2	0.0773
		207	0.0694
		206	0.0860
		199	0.0791
		200	0.1274
		201/1	0.0634
		201/2	0.0555
		202	0.0382
		198	0.0317
		196	0.0196
		148	0.0232
		195	0.0048
		189/1	0.0344
		189/2	0.0108
		189/3	0.0011
		194	0.0389
		190	0.0437
		187	0.1003
		186	0.0011
		185	0.2145
		178/1	0.0656
		171/1	0.1142
		170	0.0741
		168	0.0510
		167	0.0012
		166	0.0252
		163	0.1343
		162	0.0980
		161	0.1254
		366	0.2715
		367	0.0093
		367/2	0.0030

1	2	3	4
31	नहारपुरा निरन्तर.....	365	0.0612
		408	0.1005
		410	0.1875
		411	0.1555
		412/1	0.0602
		412/2	0.0910
		413	0.0490
		414	0.1267
		468	0.0219
		469	0.4163
		495	0.0238
		481/2	0.1897
		478	0.1111
		480	0.0536
		545	0.0018
		546	0.1611
		540	0.0706
		541	0.1222
		524	0.1075
		525	0.0207
		527/1	0.0752
		527/2	0.0497
		528	0.0738
		529	0.0636
		530	0.0677
		522	0.1351
		570	0.1954

[फा. सं. आर-25011/1/2006-ओ.आर.-1]

एस.के. चितकारा, अवर सचिव

New Delhi, the 4th July, 2006

S. O. 2612.— Whereas by the notification of the Government of India, Ministry of Petroleum and Natural Gas, number S.O. 253 dated 13.01.2006 issued under sub section (1) of section 3 of the Petroleum and Minerals Pipelines (Acquisition of Right of user in Land) Act, 1962 (50 of 1962) published in the Gazette of India dated 21.01.2006, the Central Government declared its intention to acquire the right of user in the land specified in the schedule annexed to Tehsil Thandla, Dist Jhabua, State Madhya Pradesh, for the purpose of laying pipeline for the transportation of Petroleum Products from Koyali to Ratlam in the State of Madhya Pradesh by the Indian Oil Corporation Limited,

And whereas, the copies of the said Gazette notification were made available to the general public on 21.03.2006

And whereas the Competent Authority has under sub-section (1) of section 6 of the said Act, submitted report to the Central Government ;

And whereas, the Central Government after considering the said report is satisfied that right of user in the land specified in the Schedule appended to this notification should be acquired,

Now, therefore, in exercise of the powers conferred by sub-section (1) of the section 6 of the said Act. the Central Government hereby declares that the right of user in the land specified in the Schedule annexed to this notification is hereby acquired for laying the pipeline,

And further in exercise of the powers conferred by sub-section (4) of section 6 of the said Act. the Central Government hereby direct that the right of user in the said land shall instead of vesting in the Central Government, vest from the date of the publication of this declaration in the Indian Oil Corporation Limited, free from all encumbrances.

### Schedule

SI No.	Tehsil :- Thandla	District :- Jhabua	State: -Madhyapradesh
1	Name of Village	SURVEY NO	AREA IN HECTARE
2	3	4	
18	Semalpara	182	0.0250
		183	0.0314
		190	0.0977
		188	0.1249
		186	0.1060
		185	0.0294
		71	0.0504
22	Gularipura	168	0.1536
		167	0.1819
		175	0.0983
		176	0.0797
		173	0.0094
		177	0.0752
		178	0.1112
		179	0.0011
		180	0.1031
		181	0.0541
		182	0.0863
		198	0.0127
		364	0.2064
		199	0.1758
		346	0.0114
		345	0.1619
		344	0.1581
		343	0.0631
		336	0.0355
		335	0.0169
		334/2	0.1368
		334/1	0.2428
		333	0.2099
		332	0.0393

1	2	3	4
23	Patadi	7	0.2957
		6	0.2347
		5	0.2967
		4	0.0018
		65	0.4506
		70	0.0167
		67	0.0252
		69	0.1555
24	Sagwa	499	0.2713
		497/4	0.0550
		500/1	0.0398
		500/2	0.0368
		500/3	0.0420
		500/4	0.1118
		501	0.2588
		502/1	0.1167
		502/2	0.1502
		512	0.0405
		496	0.0143
		493	0.1868
		476	0.1470
		477	0.0819
		478	0.1136
		451	0.0171
		438	0.0109
		439	0.1130
		444	0.0799
		440	0.1123
		441	0.0230
		431	0.0433
		424	0.3573
		423	0.2910
		R. F.	2.0196
25	Khawasa	1855	0.1612
		1854	0.0164
		1832	0.0065
		1828	0.0430
		1829	0.0354
		1830	0.0106
		1831	0.0010
		1827	0.1219
		1675	0.0648
		1826	0.1706
		1821	0.1266
		1822	0.1559
		1823	0.1175
		1818	0.1766
		1796	0.0606

1	2	3	4
25	Khawasa Conte...	1797	0.0888
		1798	0.0019
		1799	0.0213
		1800	0.1130
		1801	0.0185
		1791	0.0331
		1802	0.0145
		1768	0.0573
		1767	0.1929
		1222	0.0143
		1225	0.1284
		1226	0.1894
		1227	0.0302
		1228/1	0.0437
		1231	0.0292
		1232/3	0.1396
		1232/2	0.1038
		1232/1	0.0014
		1239	0.0197
		1238	0.0643
		1241	0.0570
		1242	0.0511
		1244	0.0142
		1243	0.0361
		1236	0.0011
		1245	0.0024
		1246	0.0614
		1247	0.0207
		1249	0.1213
		1253	0.1332
		1257/1	0.3528
		1257/2	0.3024
		1176	0.0597
		1161/2	0.5616
		1160	0.2452
		1162	0.1584
		1163	0.0117
		1169	0.5738
		1164	0.0648
		1067	0.0025
		1061	0.0028
		1060	0.0792
		1065	0.2736
		980	0.0468
		982	0.6120
		979	0.1080
		978	0.0096
26	Narela	479	1.1067
		481	0.0939

1	2	3	4
26	Narela Conte..	480	0.0012
		482	0.1362
		483	0.0030
		478	0.1260
		471	0.0252
		472	0.1189
		451	0.0108
		47	0.1989
		51	0.0527
		52	0.1362
		53	0.0015
		55	0.0011
		54	0.1520
		58	0.0603
		66	0.0484
		65	0.0308
		61	0.2025
		62	0.1093
		30	0.0044
		27	0.0213
		63	0.0710
		64	0.0088
		26	0.0011
		23	0.0468
		22	0.0417
		24	0.0012
		21	0.0168
		19	0.0058
		20	0.0654
		339	0.0608
		147	0.1089
		152	0.0078
		151	0.1295
		150	0.0014
		148	0.0016
		149	0.0994
		158	0.0182
		159	0.1080
		142	0.0013
		160	0.0214
		168	0.0162
		140	0.0786

1	2	3	4
26	Narela Conte..	172	0.0194
		173	0.0277
		174	0.0095
		179	0.0021
		178	0.1317
		180	0.0130
		187	0.1080
		186	0.0792
		188	0.0648
27	Semliya	960	0.0549
		961	0.0138
		962	0.1122
		965/2	0.2152
		965/1	0.1118
		966	0.0017
		974	0.0183
		922	0.0123
		979	0.1310
		978	0.0148
		977	0.2402
		976	0.1980
		986	0.1652
		1002	0.0372
		1009 P	0.1334
		1996	0.2502
		1995	0.2012
		1993	0.0071
		1997	0.1574
		1998	0.0833
		1999	0.0635
		1990	0.4903
		2003	0.0280
		1987	0.0935
28	Bherugarh	222	0.1236
		219	0.0767
		218	0.0127
		217	0.1653
		216	0.0373
		90	0.0011
		211	0.0796
		92	0.0926
		93	0.0310
		102	0.0153
		87	0.1254

1	2	3	4
28	Bherugarh Conte...	86	0.0718
		6	0.1173
		8	0.1798
		9	0.0821
		81	0.0841
		10	0.0625
		76	0.0244
		12	0.0205
		13	0.0278
		15	0.0151
		14	0.0578
29	Rukmanipara	176	0.0499
		128	0.0760
		129	0.0185
		132	0.1170
		133	0.0814
		134	0.1197
		136	0.0757
		143	0.0121
		142	0.1085
		140	0.1402
		141	0.0133
		139	0.0547
		123	0.0341
		64	0.1960
		65	0.0602
		66	0.0791
		92	0.0020
		78	0.0739
		84	0.0279
		91	0.0965
		95	0.0249
		90	0.0025
		96	0.1258
		89	0.0865
		85	0.1381
		86	0.0191
		54	0.0272
30	Charpotipara	102	0.0317
		96	0.0209
		97	0.0629
		98	0.0599
		99	0.0579
		95	0.0274

1	2	3	4
30	Charpotipara Cont..	100	0.0771
		101	0.0065
31	Naharpura	211	0.0228
		234	0.0878
		235	0.1056
		236	0.2588
		229	0.1613
		230	0.0012
		228/1	0.2532
		292	0.0191
		291	0.1315
		290	0.0078
		294	0.1249
		293	0.0403
		305/2	0.0628
		305/1	0.0614
		208	0.0220
		143/1	0.1372
		143/2	0.0773
		207	0.0694
		206	0.0860
		199	0.0791
		200	0.1274
		201/1	0.0634
		201/2	0.0555
		202	0.0382
		198	0.0317
		196	0.0196
		148	0.0232
		195	0.0048
		189/1	0.0344
		189/2	0.0108
		189/3	0.0011
		194	0.0389
		190	0.0437
		187	0.1003
		186	0.0011
		185	0.2145
		178/1	0.0656
		171/1	0.1142
		170	0.0741
		168	0.0510
		167	0.0012
		166	0.0252

1	2	3	4
31	Naharpura Conte..	163	0.1343
		162	0.0980
		161	0.1254
		366	0.2715
		367	0.0093
		364/2	0.0030
		365	0.0612
		408	0.1005
		410	0.1875
		411	0.1555
		412/1	0.0602
		412/2	0.0910
		413	0.0490
		414	0.1267
		468	0.0219
		469	0.4163
		495	0.0238
		481/2	0.1897
		478	0.1111
		480	0.0536
		545	0.0018
		546	0.1611
		540	0.0706
		541	0.1222
		524	0.1075
		525	0.0207
		527/1	0.0752
		527/2	0.0497
		528	0.0738
		529	0.0636
		530	0.0677
		522	0.1351
		570	0.1954

[F. No. R-25011/1/2006-O.R.-I]

S. K. CHITKARA, Under Secy

नई दिल्ली, 4 जुलाई, 2006

का. आ. 2613.— केन्द्रीय सरकार ने पेट्रोलियम और खनिज पाइपलाइन (भूमि में उपयोग के अधिकार का अर्जन) अधिनियम 1962 (1962 का 50) की धारा 3 की उप-धारा (1) के अधीन जारी, भारत के राजपत्र, तारीख 21.01.2006 में प्रकाशित भारत सरकार के पेट्रोलियम और प्राकृतिक गैस मंत्रालय की अधिसूचना संख्या का आ. 254 तारीख 13.01.2006 द्वारा उस अधिसूचना से उपबद्ध अनुसूचि तहसील मेघनगर जिला झाबुआ राज्य मध्यप्रदेश में विनिर्दिष्ट भूमि में कोयली से रतलाम तक पेट्रोलियम उत्पादों के परिवहन के लिये इंडियन ऑयल कॉर्पोरेशन लिमिटेड द्वारा पाइपलाइन बिछाने के प्रयोजन के लिये उपयोग के अधिकार का अर्जन करने के अपने आशय की घोषणा की थी।

और उक्त राजपत्र अधिसूचना की प्रतियां तारीख 21.03.2006 से जनता को उपलब्ध करा दी गई थी ; और सक्षम प्राधिकारी ने उक्त अधिनियम की धारा 6 की उपधारा (1) के अधीन केन्द्रीय सरकार को रिपोर्ट दे दी है ;

और केन्द्रीय सरकार का उक्त रिपोर्ट पर विचार करने के पश्चात् यह समाधान हो गया है कि इस अधिसूचना से उपबद्ध अनुसूचि में विनिर्दिष्ट भूमि में उपयोग का अधिकार अर्जित किया जाए ;

अतः, अब, केन्द्रीय सरकार उक्त अधिनियम की धारा 6 की उप-धारा (1) द्वारा प्रदत्त शक्तियों का प्रयोग करते हुए यह घोषणा करती है कि पाइपलाइन बिछाने के लिए इस अधिसूचना से उपबद्ध अनुसूचि में विनिर्दिष्ट भूमि में उपयोग के अधिकार का अर्जन किया जाता है।

और केन्द्रीय सरकार उक्त अधिनियम की धारा 6 की उपधारा (4) द्वारा प्रदत्त शक्तियों का प्रयोग करते हुए यह निर्देश देती है कि उक्त भूमि में उपयोग का अधिकार केन्द्रीय सरकार में निहित होने के बजाय इंडियन ऑयल कॉर्पोरेशन लिमिटेड में सभी विल्लगमों से मुक्त होकर प्रकाशन की इस तारीख से निहित होगा।

### अनुसूचि

तहसील — मेघनगर		जिला — झाबुआ	राज्य— मध्य प्रदेश
क्रमांक	गाँव का नाम	सर्वे नम्बर	क्षेत्रफल हेक्टर में
1	2	3	4
1	ढाढनिया	1	0.1821
		97	0.1160
		99	0.2746
		96	0.0455
		74	0.1842
		58	0.0366
		51	0.1144
		52	0.1512
		53	0.0768
		54	0.1531
		44	0.0068
		43	0.0005
		55	0.1712
		56	0.0303
		40	0.0050
		57	0.1461
		36	0.0076
		35	0.0028
		34	0.2850
		174	0.0018
		176	0.2279
		175	0.0159
		194/1	0.0822
		194/2	0.2470
		193	0.0975
		192/1	0.0540
		190/1	0.2304
		190/3	0.0760
		186	0.1390
		187	0.0417
2	जामनिया	आरक्षित वन	0.1728
		112/2	0.0461
		119	0.0360
		118/1	0.2404
		114	0.2882

1	2	3	4
2	जामनिया निरन्तर.....	110	0.0360
		107	0.0603
		105	0.1254
		102	0.0313
		100	0.0164
		101	0.0465
		99	0.0632
		96	0.0003
		95	0.2767
		94	0.0803
		127	0.0359
		126	0.0074
		128	0.0285
		130	0.2020
		132/1	0.0425
		131	0.0510
		91/1	0.0583
		136	0.2526
		135	0.0650
		137	0.0483
3	नाहरपुरा	107	0.2085
		108	0.2162
		109	0.0227
		104	0.0220
		110	0.0626
		112	0.4184
		113	0.0067
		103	0.0238
		52	0.1770
		51	0.0906
		50	0.2097
		48	0.1499
		42	0.0228
		43	0.1631
4	फुलेडी	44	0.2855
		45	0.0880
		56	0.0144
		55	0.0914
		57	0.0860
		52/4	0.3246
		33	0.0164
		60	0.0443
		68	0.1632
		67	0.0006
		69	0.0704
		66	0.0394
		70	0.0144
		71	0.0209
		72	0.1168

1	2	3	4
4	फुलेडी निरन्तर.....	74	0.1158
		75	0.1848
		76	0.1066
		77	0.0003
		88	0.0119
		111	0.1046
		112	0.1561
		113	0.1052
		115	0.0214
		114	0.0291
		117	0.1044
		256	0.1841
		255	0.1083
		257	0.0296
		259	0.0557
		260	0.1560
		262	0.3328
		263	0.2037
		268	0.0852
		267	0.0059
		269	0.0822
		250/1	0.0677
		250/2	0.0565
		250/3	0.1153
		250/4	0.4748
		249/3	0.0669
		249/2	0.2052
		248	0.0410
		247	0.4884
		234	0.1326
		235	0.0309
		243	0.0185
		245	0.0525
		244	0.0971
		246	0.1188
		242	0.0045
5	मेघनगर	183	0.3916
		185/1	0.0227
		185/3	0.1094
		180	0.0536
		175	0.0594
		176	0.1002
		173	0.1585
		171/1	0.0698
		171/2	0.1493
		170/2/2	0.0977
		171/3	0.0013
		170/2/3	0.0024
		170/1	0.0965

1	2	3	4
5	मेघनगर निरन्तर.....	164	0.2975
		151/2	0.1793
		151/1	0.0128
		153	0.0197
		154/1	0.0028
		156	0.0822
		155	0.0711
		32	0.0335
6	बेडावली	628	0.0130
		631	0.0013
		629	0.1785
		630	0.0687
7	फुटतलाब	238	0.0306
		237	0.0588
		236	0.1589
		235	0.0196
		234/2	0.0864
		234/3	0.0452
		234/4	0.0711
		233	0.0371
		213/7	0.0669
		213/6	0.0624
		213/5	0.0225
		232	0.0656
		231	0.1413
		230	0.0101
		227	0.1867
		223/1	0.0507
		223/2	0.2016
		222/2	0.1112
		221	0.0484
		220	0.1872
		219/2	0.0109
		219/3	0.1856
		219/4	0.1231
		197	0.0189
		55	0.0177
		56	0.0795
		64	0.0744
		73	0.0693
		65	0.4108
		66	0.0096
		80	0.1826
		61/2	0.0637
		67	0.0927

1	2	3	4
7	फुटतलाब निरन्तर.....	77	0.1799
		74	0.0448
		81	0.1253
		79	0.0111
		26	0.0401
		19	0.0274
		20	0.1202
		17	0.4626
		16	0.2717
		15	0.0333
8	गुजरपाडा	191	0.0378
		256	0.2701
		254	0.1056
		255	0.0435
		245	0.0241
		244	0.1749
		243	0.0162
		239/1	0.0831
		236/1	0.0815
		236/2	0.1165
		235/2	0.0864
		235/1	0.0912
		229/2	0.1261
		229/1	0.0261
		230/2	0.0054
		230/1	0.0591
		228	0.0402
		227	0.0306
		226	0.0242
		225	0.0361
		224/3	0.0054
		224/2	0.0864
		223	0.0133
9	सजेली जोखनी सात	58	0.0134
		59	0.1406
		56	0.0194
		60	0.1608
		61	0.1802
		50	0.1718
		49/2	0.0490
		66	0.1647
		67	0.0216
		68	0.0606
		70	0.0227

1	2	3	4
10	सजेली मालजी सात	144	0.0222
		140	0.0599
		141	0.0153
		147	0.0152
		148/2	0.0652
		150	0.0419
		149	0.1207
		159	0.0184
		259	0.2709
		256	0.1080
		257	0.1368
		262	0.2426
		263	0.0001
		226	0.0136
		227	0.0093
		225	0.0608
		224	0.1319
		223	0.0929
		219	0.0021
		218	0.1062
		217	0.0927
		216	0.0058
11	सजेली नरसिंहपुरा	55	0.0562
		54	0.0445
		53	0.0271
		52/15	0.0186
		52/16	0.1108
		44	0.1603
		45	0.0583
		46	0.0753
		43/2	0.0820
		43/3	0.0030
		43/1	0.0820
		49	0.0401
		38	0.0919
		37	0.1120
		36/3	0.0068
		36/4	0.0507
		27/3	0.0380
		27/2	0.0210
		27/1	0.0014
		28	0.0871
		29/1	0.0415
		30	0.1217
		13	0.1243
		14	0.0246
		12	0.0015

1	2	3	4
11	सजेली नरसिहपुरा निर.....	15	0.0720
		2	0.0345
12	सजेली दामना सात	277	0.0321
		307	0.0009
		309	0.1416
13	नौगांवा	1175	0.0197
		1181	0.1114
		1182	0.0058
		1183	0.0510
		1184	0.0494
		1186	0.0683
		1198	0.0001
		1197	0.0077
		1196	0.0098
		1195	0.0626
		1193	0.0031
		1194/3	0.0295
		1194/2	0.0907
		1194/1	0.0897
		1247	0.0164
		1246	0.1202
		1249	0.0014
		1245	0.0540
		1274	0.1299
		1226	0.0013
		1227	0.0043
		1228	0.0060
		1229	0.0060
		1242	0.0052
		1243	0.0091
		1279	0.0131
		1278	0.0150
		1277	0.0694
		1276	0.0259
		1275	0.0285
		1273	0.0890
		1272	0.0670
		1271	0.0141
		1268	0.0090
		1291	0.0562
		1267	0.0557
		1266	0.0760
		1299/1	0.0147
		1299/2	0.0015
		1265	0.0015
		982	0.0858

1	2	3	4
13	नौगावा निरन्तर.....	1301	0.0442
		1302	0.0983
		978	0.0225
		979	0.0418
		980	0.0177
		981	0.0242
		985	0.0026
		945	0.1647
		944	0.0759
		943/4	0.0283
		943/3	0.0137
		943/2	0.0166
		943/1	0.0156
		942	0.0905
		956	0.0091
		921	0.0198
		888	0.0299
		889	0.0285
		890	0.0255
		891	0.0242
		892	0.0248
		893	0.0107
		894	0.0051
		895	0.0045
		896	0.0069
		897	0.0076
		898	0.0060
		899	0.0082
		902	0.0054
		901/2	0.0096
		874	0.0814
		875	0.0587
		873	0.0420
		843	0.0179
		844	0.0322
		845	0.0369
		846	0.0491
		847	0.0114
		848	0.0876
		849	0.0843
		850	0.0352
		851/3	0.0040
		816/2	0.0058
		814/3	0.1694
		814/2	0.0408

1	2	3	4
13	नौगाँवा निरन्तर.....	814/1	0.0542
		813	0.0418
		812	0.0743
		810	0.0280
		809	0.0189
		808	0.0755
		806	0.0190
		570	0.0460
		505	0.0756
		504	0.0749
		508	0.0313
		517	0.0981
		518/1	0.0699
		518/2	0.1016
		519	0.0015
		240	0.0754
		520	0.0588
		239	0.1066
14	गुडा छोटा	2	0.1153
		26	0.0517
		1	0.0235
15	महुडा	174	0.0688
		172	0.2052
		191	0.1475
		192	0.0159
		194	0.0232
		195	0.0110
		198	0.0695
		199	0.0955
		200	0.0737
		201	0.0261
		163	0.0449
		95	0.1408
		96	0.0854
		94	0.1373
		84/1	0.0432
		84/2	0.0360
		85	0.0333
		78	0.1058
		76/1	0.0601
		76/2	0.0672
		206	0.0113
		210	0.1177

1	2	3	4
15	महुडा निरन्तर.....	211	0.0030
		213	0.0463
		214	0.0152
		215	0.1075
		216	0.0174
		217/1	0.2316
		205	0.2499
		219	0.0317
		218/2	0.0092
		220	0.1310
		221/1	0.1523
		467/2	0.2239
		468	0.0741
		469	0.1821
16	शिवगड	92	0.2232
		130	0.0252
		131	0.1296
		156	0.0648
		157	0.1080
		162	0.0432
		163	0.0828
19	कुंडला	1	0.1068
		2	0.0303
		9/1	0.0648
		11	0.0019
		21	0.1854
		8	0.0342
		22	0.0055
		20	0.0025
		19	0.0360
		18	0.1532
		32	0.0201
		33	0.0036
		17	0.1109
		34	0.0040
		16	0.0257
		35	0.0617
		36	0.0617
		आरक्षित वन	5.0688
20	पंचपिपलिया	417	0.0098
		416	0.1178
		327	0.1041
		415	0.0031

1	2	3	4
20	पंचपिपलिया निरन्तर....	414	0.0072
		328/2	0.0973
		331/3	0.0888
		333/2	0.0720
		331/1	0.0611
		411	0.0128
		410	0.0014
		334/2	0.1160
		335/3	0.0433
		335/4	0.1040
		336/4	0.1204
		336/5	0.0041
		338/1	0.2533
		408	0.0912
		396	0.0269
		395	0.0268
		394	0.0996
		393	0.0472
		392	0.0449
		391	0.0984
		361	0.0559
		390	0.0647
		362	0.0516
		363/2	0.2341
		363/1	0.0055
		363/3	0.1539
		367	0.1441
		368	0.0188
		369	0.1482
		370	0.0181
		आरक्षित वन	1.3752
21	जामदा	347	0.0607
		353	0.0184
		352	0.2084
		359	0.0279
		360	0.0949
		364	0.0011
		343	0.0011
		365	0.0017
		366	0.0925
		370	0.1674
		371	0.0320
		368	0.0397
		336	0.1607
		310	0.0669
		309	0.3247

1	2	3	4
21	जामदा निरन्तर.....	299	0.2329
		300	0.0252
		आरक्षित वन	2.5344

[ फा. सं. आर-25011/1/2006-ओ.आर.-I]

एस.के. चितकारा, अवर सचिव

New Delhi, the 4th July, 2006

S. O. 2613.—Whereas by the notification of the Government of India, Ministry of Petroleum and Natural Gas, number S.O. 254 dated 13.01.2006 issued under sub section (1) of section 3 of the Petroleum and Minerals Pipelines (Acquisition of Right of user in Land) Act, 1962 (50 of 1962) published in the Gazette of India dated 21.01.2006, the Central Government declared its intention to acquire the right of user in the land specified in the schedule annexed to Tehsil Maghnagar, Dist Jhabua, State Madhya Pradesh, for the purpose of laying pipeline for the transportation of Petroleum Products from Koyali to Ratlam in the State of Madhya Pradesh by the Indian Oil Corporation Limited,

And whereas, the copies of the said Gazette notification were made available to the general public on 21.03.2006

And whereas the Competent Authority has under sub-section (1) of section 6 of the said Act, submitted report to the Central Government ;

And whereas, the Central Government after considering the said report is satisfied that right of user in the land specified in the Schedule appended to this notification should be acquired,

Now, therefore, in exercise of the powers conferred by sub-section (1) of the section 6 of the said Act. the Central Government hereby declares that the right of user in the land specified in the Schedule annexed to this notification is hereby acquired for laying the pipeline,

And further in exercise of the powers conferred by sub-section (4) of section 6 of the said Act. the Central Government hereby direct that the right of user in the said land shall instead of vesting in the Central Government, vest from the date of the publication of this declaration in the Indian Oil Corporation Limited, free from all encumbrances.

**Schedule**

Sl No.	Tehsil :- Meghnagar	District :- Jhabua	State :- Madhyapradesh
	Name of Village	SURVEY NO	Area in Hectare
1	2	3	4
1	Dadhaniya	1	0.1821
		97	0.1160
		99	0.2746
		96	0.0455
		74	0.1842
		58	0.0366
		51	0.1144
		52	0.1512
		53	0.0768
		54	0.1531
		44	0.0068
		43	0.0005
		55	0.1712
		56	0.0303
		40	0.0050
		57	0.1461
		36	0.0076
		35	0.0028
		34	0.2850
		174	0.0018
		176	0.2279
		175	0.0159
		194/1	0.0822
		194/2	0.2470
		193	0.0975
		192/1	0.0540
		190/1	0.2304
		190/3	0.0760
		186	0.1390
		187	0.0417
		R.F	0.1728
2	Jamniya	112/2	0.0461
		119	0.0360
		118/1	0.2404
		114	0.2882
		110	0.0360
		107	0.0603
		105	0.1254
		102	0.0313
		100	0.0164
		101	0.0465

1	2	3	4
2	Jamniya Cont...	99	0.0632
		96	0.0003
		95	0.2767
		94	0.0803
		127	0.0359
		126	0.0074
		128	0.0285
		130	0.2020
		132/1	0.0425
		131	0.0510
		91/1	0.0583
		136	0.2526
		135	0.0650
		137	0.0483
3	Naharpura	107	0.2085
		108	0.2162
		109	0.0227
		104	0.0220
		110	0.0626
		112	0.4184
		113	0.0067
		103	0.0238
		52	0.1770
		51	0.0906
		50	0.2097
		48	0.1499
4	Phuledi	42	0.0228
		43	0.1631
		44	0.2855
		45	0.0880
		56	0.0144
		55	0.0914
		57	0.0860
		52/4	0.3246
		33	0.0164
		60	0.0443
		68	0.1632
		67	0.0006
		69	0.0704
		66	0.0394
		70	0.0144
		71	0.0209
		72	0.1168
		74	0.1156
		75	0.1848

1	2	3	4
4	Phuledi Cont....	76	0.1066
		77	0.0003
		88	0.0119
		111	0.1046
		112	0.1561
		113	0.1052
		115	0.0214
		114	0.0291
		117	0.1044
		256	0.1841
		255	0.1083
		267	0.0296
		259	0.0557
		260	0.1560
		262	0.3328
		263	0.2037
		268	0.0852
		267	0.0059
		269	0.0822
		250/1	0.0677
		250/2	0.0565
		250/3	0.1153
		250/4	0.4748
		249/3	0.0669
		249/2	0.2052
		248	0.0410
		247	0.4884
		234	0.1326
		235	0.0309
		243	0.0185
		245	0.0525
		244	0.0971
		246	0.1188
		242	0.0045
5	Meghanagar	183	0.3916
		185/1	0.0227
		185/3	0.1094
		180	0.0536
		175	0.0594
		176	0.1002
		173	0.1585
		171/1	0.0698
		171/2	0.1493
		170/2/2	0.0977
		171/3	0.0013
		170/2/3	0.0024

1	2	3	4
5	Meghanagar Cont...	170/1	0.0965
		164	0.2975
		151/2	0.1793
		151/1	0.0128
		153	0.0197
		154/1	0.0028
		156	0.0822
		155	0.0711
		32	0.0335
6	Bedawali	628	0.0130
		631	0.0013
		629	0.1785
		630	0.0687
7	Foot-talab	238	0.0306
		237	0.0588
		236	0.1589
		235	0.0196
		234/2	0.0864
		234/3	0.0452
		234/4	0.0711
		233	0.0371
		213/7	0.0669
		213/6	0.0624
		213/5	0.0225
		232	0.0656
		231	0.1413
		230	0.0101
		227	0.1867
		223/1	0.0507
		223/2	0.2016
		222/2	0.1112
		221	0.0484
		220	0.1872
		219/2	0.0109
		219/3	0.1856
		219/4	0.1231
		197	0.0189
		55	0.0177
		56	0.0795
		64	0.0744
		73	0.0693
		65	0.4108
		66	0.0096
		80	0.1826
		61/2	0.0637
		67	0.0927

1	2	3	4
7	Foot-talab Cont...	77	0.1799
		74	0.0448
		81	0.1253
		79	0.0111
		26	0.0401
		19	0.0274
		20	0.1202
		17	0.4626
		16	0.2717
		15	0.0333
8	Gujarpara	191	0.0378
		256	0.2701
		254	0.1056
		255	0.0435
		245	0.0241
		244	0.1749
		243	0.0162
		239/1	0.0831
		236/1	0.0815
		236/2	0.1165
		235/2	0.0864
		235/1	0.0912
		229/2	0.1261
		229/1	0.0261
		230/2	0.0054
		230/1	0.0591
		228	0.0402
		227	0.0306
		226	0.0242
		225	0.0361
		224/3	0.0054
		224/2	0.0864
		223	0.0133
9	Sajeli Jokhni Sat	58	0.0134
		59	0.1406
		56	0.0194
		60	0.1608
		61	0.1802
		50	0.1718
		49/2	0.0490
		66	0.1647
		67	0.0216
		68	0.0606
		70	0.0227

1	2	3	4
10	Sajeli Malji Sat	144	0.0222
		140	0.0599
		141	0.0153
		147	0.0152
		148/2	0.0652
		150	0.0419
		149	0.1207
		159	0.0184
		259	0.2709
		256	0.1080
		257	0.1368
		262	0.2426
		263	0.0001
		226	0.0136
		227	0.0093
		225	0.0608
		224	0.1319
		223	0.0929
		219	0.0021
		218	0.1062
		217	0.0927
		216	0.0058
11	Sajell Narsinghpura	55	0.0562
		54	0.0445
		53	0.0271
		52/15	0.0186
		52/16	0.1108
		44	0.1603
		45	0.0583
		46	0.0753
		43/2	0.0820
		43/3	0.0030
		43/1	0.0820
		49	0.0401
		38	0.0919
		37	0.1120
		36/3	0.0068
		36/4	0.0507
		27/3	0.0380
		27/2	0.0210
		27/1	0.0014
		28	0.0871
		29/1	0.0415
		30	0.1217
		13	0.1243
		14	0.0246
		12	0.0015

1	2	3	4
11	Sajeli NarsinghpuraCon..	15	0.0720
		2	0.0345
12	Sajeli Damna Sat	277	0.0321
		307	0.0009
		309	0.1416
13	Naugawa	1175	0.0197
		1181	0.1114
		1182	0.0058
		1183	0.0510
		1184	0.0494
		1186	0.0683
		1198	0.0001
		1197	0.0077
		1196	0.0098
		1195	0.0626
		1193	0.0031
		1194/3	0.0295
		1194/2	0.0907
		1194/1	0.0897
		1247	0.0164
		1246	0.1202
		1249	0.0014
		1245	0.0540
		1274	0.1299
		1226	0.0013
		1227	0.0043
		1228	0.0060
		1229	0.0060
		1242	0.0052
		1243	0.0091
		1279	0.0131
		1278	0.0150
		1277	0.0694
		1276	0.0259
		1275	0.0285
		1273	0.0890
		1272	0.0670
		1271	0.0141
		1268	0.0090
		1291	0.0562
		1267	0.0557
		1266	0.0760
		1299/1	0.0147
		1299/2	0.0015
		1265	0.0015
		982	0.0858

1	2	3	4
13	Naugawa Conte...	1301	0.0442
		1302	0.0983
		978	0.0225
		979	0.0418
		980	0.0177
		981	0.0242
		985	0.0026
		945	0.1647
		944	0.0759
		943/4	0.0283
		943/3	0.0137
		943/2	0.0166
		943/1	0.0156
		942	0.0905
		956	0.0091
		921	0.0198
		888	0.0299
		889	0.0285
		890	0.0255
		891	0.0242
		892	0.0248
		893	0.0107
		894	0.0051
		895	0.0045
		896	0.0069
		897	0.0076
		898	0.0060
		899	0.0082
		902	0.0054
		901/2	0.0096
		874	0.0814
		875	0.0587
		873	0.0420
		843	0.0179
		844	0.0322
		845	0.0369
		846	0.0491
		847	0.0114
		848	0.0876
		849	0.0843
		850	0.0352
		851/3	0.0040
		816/2	0.0058
		814/3	0.1694
		814/2	0.0408
		814/1	0.0542

1	2	3	4
13	Naugawa Conte...	813	0.0418
		812	0.0743
		810	0.0280
		809	0.0189
		808	0.0755
		806	0.0190
		570	0.0460
		505	0.0756
		504	0.0749
		508	0.0313
		517	0.0981
		518/1	0.0699
		518/2	0.1016
		519	0.0015
		240	0.0754
		520	0.0588
		239	0.1066
14	Guda Choota	2	0.1153
		26	0.0517
		1	0.0235
15	Mahuda	174	0.0688
		172	0.2052
		191	0.1475
		192	0.0159
		194	0.0232
		195	0.0110
		198	0.0695
		199	0.0955
		200	0.0737
		201	0.0261
		163	0.0449
		95	0.1408
		96	0.0854
		94	0.1373
		84/1	0.0432
		84/2	0.0360
		85	0.0333
		78	0.1058
		76/1	0.0601
		76/2	0.0672
		206	0.0113
		210	0.1177
		211	0.0030
		213	0.0463
		214	0.0152
		215	0.1075
		216	0.0174
		217/1	0.2316
		205	0.2499

1	2	3	4
15	Mahuda Cont...	219	0.0317
		218/2	0.0092
		220	0.1310
		221/1	0.1523
		467/2	0.2239
		468	0.0741
		469	0.1821
16	Shivgarh	92	0.2232
		130	0.0252
		131	0.1296
		156	0.0648
		157	0.1080
		162	0.0432
		163	0.0828
19	Kundla	1	0.1068
		2	0.0303
		9/1	0.0648
		11	0.0019
		21	0.1854
		8	0.0342
		22	0.0055
		20	0.0025
		19	0.0360
		18	0.1532
		32	0.0201
		33	0.0036
		17	0.1109
		34	0.0040
		16	0.0257
20	Panchpipaliya	35	0.0617
		36	0.0617
		R.F.	5.0688
		417	0.0098
		416	0.1178
		327	0.1041
		415	0.0031
		414	0.0072
		328/2	0.0973
		331/3	0.0888
		333/2	0.0720
		331/1	0.0611
		411	0.0128
		410	0.0014
		334/2	0.1160
		335/3	0.0433
		335/4	0.1040
		336/4	0.1204
		336/5	0.0041
		338/1	0.2533

1	2	3	4
20	Panchpipaliya Cont.....	408	0.0912
		396	0.0269
		395	0.0268
		394	0.0996
		393	0.0472
		392	0.0449
		391	0.0984
		361	0.0559
		390	0.0647
		362	0.0516
		363/2	0.2341
		363/1	0.0055
		363/3	0.1539
		367	0.1441
		368	0.0188
		369	0.1482
		370	0.0181
		R.F.	1.3752
21	Jamda	347	0.0607
		353	0.0184
		352	0.2084
		359	0.0279
		360	0.0949
		364	0.0011
		343	0.0011
		365	0.0017
		366	0.0925
		370	0.1674
		371	0.0320
		368	0.0397
		336	0.1607
		310	0.0669
		309	0.3247
		299	0.2329
		300	0.0252
		R.F.	2.5344

[F. No. R-25011/1/2006-O.R.-I]  
S. K. CHITKARA, Under Secy

नई दिल्ली, 5 जुलाई, 2006

का. आ. 2614.—केन्द्रीय सरकार को लोकहित में यह आवश्यक प्रतीत होता है कि महाराष्ट्र राज्य में लोनी (पुणे) से पकनी (सोलापुर) तक हजारवाडी के रास्ते पेट्रोलियम उत्पादों के परिवहन के लिए हिन्दुस्तान पेट्रोलियम कॉर्पोरेशन लिमिटेड द्वारा एक विस्तार पाइपलाइन बिछाई जानी चाहिए ;

और केन्द्रीय सरकार को ऐसी पाइपलाइन बिछाने के प्रयोजन के लिए यह आवश्यक प्रतीत होता है कि ऐसी भूमि में जो इस से उपाबद्ध अनुसूची में वर्णित है, जिसमें उक्त पाइपलाइन बिछाए जाने का प्रस्ताव है, उपयोग के अधिकार का अर्जन किया जाए ;

अतः अब, केन्द्रीय सरकार, पेट्रोलियम और खनिज पाइपलाइन (भूमि में उपयोग के अधिकार का अर्जन) अधिनियम, 1962 (1962 का 50) की धारा 3 की उपधारा (1) द्वारा प्रदत्त शक्तियों का प्रयोग करते हुए, उस भूमि में उपयोग के अधिकार का अर्जन करने के अपने आशय की घोषणा करती है ;

कोई व्यक्ति, जो उक्त अनुसूची में वर्णित भूमि में हितबद्ध है, उस तारीख से जिसको इस अधिसूचना से युक्त भारत के राजपत्र की प्रतियाँ साधारण जनता को उपलब्ध करा दी जाती हैं, इक्कीस दिन के भीतर भूमि के नीचे पाइपलाइन बिछाए जाने के लिए उसमें उपयोग के अधिकार के अर्जन के सम्बन्ध में श्री . संजीव जाधव , सक्षम प्राधिकारी, मुम्बई-पुणे पाइपलाइन विस्तार परियोजना (लोनी से पकनी तक हजारवाडी के रास्ते), हिन्दुस्तान पेट्रोलियम कॉर्पोरेशन लिमिटेड, मेगा सेंटर, मगरपट्टा - एम व एन विंग, हादापसर - 411 028 (पुणे जिला) , महाराष्ट्र को लिखित रूप में आक्षेप भेज सकेगा ।

अनुसूची							
तालुका : मंगलवेडा			जिला : सोलापुर		राज्य : महाराष्ट्र		
क्रम सं.	गाव का नाम	सर्वे नंबर	गट नंबर	उप-खण्ड संख्या	क्षेत्रफल		
1	2	3	4	5	हेक्टर	एयर	वर्ग मीटर
1	मंगलवेडा		3542		00	06	06
			3543		00	07	86
			3359	2	00	09	36
			3359	1	00	09	35
				कुल	00	32	63
2	मुढवी		307		00	14	30
			284		00	01	16
			306		00	00	91
				कुल	00	16	37

[फा. सं. आर-31015/22/2004-ओ.आर.-II]

ए. गोस्वामी, अवर सचिव

New Delhi, the 5th July, 2006

S. O. 2614.— Whereas it appears to the Central Government that it is necessary in the public interest that for the transportation of petroleum products from Loni (Pune) to Pakni (Solapur) via Hazarwadi in the State of Maharashtra, an extension pipeline should be laid by Hindustan Petroleum Corporation Limited;

And whereas it appears to the Central Government that for the purpose of laying such pipeline, it is necessary to acquire the right of user in land under which the said pipeline is proposed to be laid and which is described in the Schedule annexed hereto;

Now, therefore, in exercise of the powers conferred by sub-section (1) of section 3 of the Petroleum and Minerals Pipelines (Acquisition of Right of User in Land) Act, 1962 (50 of 1962), the Central Government hereby declares its intention to acquire the right of user therein;

Any person, interested in the land described in the said Schedule may, within twenty one days from the date on which the copies of the Gazette of India containing this notification are made available to the public, object in writing to the acquisition of the right of user therein for laying of the pipeline under the land to Shri Sanjeev Jadhav, Competent Authority, Mumbai-Pune Pipeline Extension Project (from Loni to Pakni via Hazarwadi), Hindustan Petroleum Corporation Limited, Mega Center, Magarpatta – M & N Wing, Hadapsar – 411 028 (Pune District), Maharashtra.

**SCHEDULE**

Taluka : MANGALVEDHA			District : SOLAPUR		State : MAHARASHTRA		
Sr. No.	Name of the Village	Survey No.	Gat No.	Sub-Division No.	Area		
					Hectare	Are	Sq.mt
1	2	3	4	5	6	7	8
1	MANGALVEDHA		3542		00	06	06
			3543		00	07	86
			3359	2	00	09	36
			3359	1	00	09	35
			<b>Total</b>		<b>00</b>	<b>32</b>	<b>63</b>
2	MUDHVI		307		00	14	30
			284		00	01	16
			306		00	00	91
			<b>Total</b>		<b>00</b>	<b>16</b>	<b>37</b>

[F. No. R-31015/22/2004-O.R.-II]

A. GOSWAMI, Under Secy.

**श्रम मंत्रालय**

नई दिल्ली, 12 जून, 2006

**का.आ. 2615.**—औद्योगिक विवाद अधिनियम, 1947 (1947 का 14) की धारा 17 के अनुसरण में, केन्द्रीय सरकार वेस्टर्न रेलवे के प्रबंधन के संबद्ध नियोजकों और उनके कर्मचारों के बीच, अनुबंध में निर्दिष्ट औद्योगिक विवाद में औद्योगिक अधिकरण/श्रम न्यायालय, अजमेर के पंचाट (संदर्भ संख्या 10/03) को प्रकाशित करती है, जो केन्द्रीय सरकार को 12-6-06 को प्राप्त हुआ था।

[सं. एल-41012/146/95-आईआर (बी-1)]

अजय कुमार, डैस्क अधिकारी

**MINISTRY OF LABOUR**

New Delhi, the 12th June, 2006

**S.O. 2615.**—In pursuance of Section 17 of the Industrial Disputes Act, 1947 (14 of 1947), the Central Government hereby publishes the award (No.10/03) of the Industrial Tribunal/Labour Court, Ajmer, now as shown in the Annexure in the Industrial Dispute between the employers in relation to the management of Western Railway and their workman, which was received by the Central Government on 12-6-2006.

[No. L-41012/146/95-IR(B-1)]

AJAY KUMAR, Desk Officer

**अनुबन्ध**

न्यायालय श्रम एवं औद्योगिक न्यायाधिकरण, अजमेर (राज.)

पीठासीन अधिकारी : श्री जी. एस. शेखावत, आरएचजेएस

प्रकरण संख्या-सीआईटीआर 10/03

रेफरेंस नं. एल-41012/146/1995-आईआर-(बी-1) (दि 14-8-2003)  
श्री कैदारमल वर्मा म. नं. 712/27 विश्वकर्मा गली, रामगंज, अजमेर  
जरिये दी डिवीजनल चेयरमैन पश्चिम रेलवे कर्मचारी परिषद् रेलवे  
क्वार्टर नं. 1188/ए रामगंज रेलवे कॉलोनी, अजमेर

....प्राथी

**बनाम**

दी डिवीजनल रेलवे मैनेजर, वेस्टर्न रेलवे, अजमेर

...अप्राथी

**उपस्थित** : श्री सुरेंद्र गोयल, विद्वान प्रतिनिधि, प्राथी

: श्री मनीष शर्मा, विद्वान अधिवक्ता, अप्राथी

दिनांक 23-5-06

**अवार्ड**

केन्द्र सरकार द्वारा प्रेषित विवाद निम्न प्रकार है:-

“क्या श्री कैदारमल वर्मा सेवानिवृत्त मुख्य लिपिक सी एमएल कार्यालय अजमेर अपने रेलवे नियोजक से दि. 19-4-84 से रु.35/- स्पेशल वेतन पाने का हकदार है जबकि उनसे जूनियर लिपिक

सर्वश्री ओमप्रकाश व. लि. डब्ल्यू शाखा ब(2) श्री एल.पी.गुप्ता, व. लि. राणा प्रताप नगर को रु.35/- स्पेशल वेतन दिया गया था तथा उनसे रेलवे प्रशासन के लिखित पत्र दि.30-5-95 के बाद भी स्पेशल वेतन की कटौती करना प्रतीत नहीं होता है और स्पेशल वेतन के आधार पर पेंशन का लाभ दिया जा रहा है। यदि हां तो कर्मकार किस अनुतोष का हकदार है तथा कब से ?”

नोटिस के उपरान्त उभयपक्ष उपस्थित आये। प्राथी ने क्लेम के विवरण में अंकित किया है कि प्राथी 1-1-84 से मुख्य चिकित्सा अधीक्षक, अजमेर के कार्यालय में वरिष्ठ लिपिक के पद पर कार्यरत था। मंडल रेल प्रबंधक अजमेर कार्यालय के पत्र दि. 13-2-84 के अनुसार प्राथी को 35 रु. स्पेशल पे देने का आदेश प्रसारित किया था। प्राथी पहले से ही पाइंटेड सीट पर कार्यरत था अतः मुख्य चिकित्सा अधीक्षक ने अपने पत्र सं. एम डी ई/मिसलेनियस दि. 19-4-84 के अनुसार दि. 14-2-84 से 35 रु. स्पेशल पे देने हेतु सिफारिश मंडल कार्यालय को की थी किंतु फिर भी प्राथी को स्पेशल पे नहीं दी गयी और उससे कनिष्ठ सर्वश्री ओमप्रकाश वरिष्ठ लिपिक, डब्ल्यू शाखा एवं श्री एस. सी.गुप्ता व. लि. राणाप्रताप नगर को स्पेशल पे दे दी गयी थी प्राथी के लिखित और मौखिक आवेदन पर भी कोई विचार नहीं किया। इस प्रकार प्राथी 1-1-84 से सेवानिवृत्ति की दिनांक अगस्त 93 तक कम वेतन प्राप्त करता रहा। सेवानिवृत्ति पर मिलने वाले लाभ भी प्राथी को कम मिले। अंत में 14-2-84 से दिसंबर 85 तक 35 रु. और जनवरी 86 से अगस्त 93 तक 70 रु. स्पेशल पे दिलाते हुए पेंशन आदि का परिणामिक लाभ दिलाये जाने की प्रार्थना की है।

प्रतिपक्षी ने प्रारंभिक आपत्तियों में अंकित किया है कि स्पेशल पे अनुसूची द्वितीय एवं तृतीय में नहीं आता है अतः इस न्यायालय को श्रवणधिकार नहीं है। क्लेम समयावधि बाधित भी है। क्लेम के विस्तृत उत्तर में केवल यह अंकित किया है कि प्राथी स्पेशल पे प्राप्त करने का अधिकारी नहीं था अन्य कोई कथन अंकित नहीं किया है। प्राथी स्पेशल पे का क्यों अधिकारी नहीं था इसका कोई विवरण अंकित नहीं किया इस प्रकार स्पष्ट इंकारी नहीं की।

प्राथी ने अपने क्लेम की संपुष्टि में अपना शपथ पत्र प्रस्तुत कर प्रतिपरीक्षण करवाया है प्रलेखीय साक्ष्य में, प्रदर्श एम-1 से 17 प्रलेखों की प्रतियां प्रदर्शित करवाकर प्रस्तुत की। इसके विपरीत प्रतिपक्षी ने अनिल चौबे प्रधान लिपिक का शपथ पत्र प्रस्तुत कर प्रतिपरीक्षण करवाया है किंतु कोई प्रलेखीय साक्ष्य प्रस्तुत नहीं की।

उभयपक्ष का श्रवण किया, पत्रावली का अवलोकन किया। प्राथी द्वारा प्रस्तुत लिखित बहस का अवलोकन किया।

प्राथी के विद्वान प्रतिनिधि का तर्क है कि मंडल रेल प्रबंधक और मुख्य चिकित्सा अधीक्षक के आदेश और सिफारिश के बाद भी प्राथी को स्पेशल पे नहीं दी गयी और स्पेशल पे के आधार पर स्थिरीकरण नहीं किया गया और इस प्रकार उसे सेवा के दौरान कम वेतन दिया गया और सेवानिवृत्ति पर पेंशन और परिणामिक लाभ कम दिये गये। इसके विपरीत प्रतिपक्षी के विद्वान अधिभावक का तर्क है कि प्राथी ने सामान्य से अधिक अर्थात् श्रम-साध्य पिन पोइंटिंग टेबिल

पर कार्य नहीं किया है उनका यह भी तर्क है कि प्रदर्श एम-3 आदेश के अनुसार 1200 से 2040 तक वेतन वालों को ही स्पेशल पे देने का प्रावधान है जबकि प्रदर्श एम-13 के अनुसार प्रार्थी का वेतन 1400-2300 की स्केल में है। उनका यह भी तर्क है कि अन्य जिन कर्मचारियों को स्पेशल पे वृद्धि दे दी गयी थी उनसे वसूली की कार्यवाही चल रही है। उनका यह भी तर्क है कि प्रार्थी ने सन् 1995 में अति-विलंब से यह विवाद उठाया है।

मैंने उभयपक्ष के तर्कों पर विचार कर लिया है। प्रस्तुत प्रकरण में सर्वाधिक महत्वपूर्ण प्रलेख प्रदर्श एम-7 मंडल रेल प्रबंधक पश्चिम रेलवे का आदेश दि. 13-2-84 है जिसमें पैरा नं. 12 निम्न प्रकार है:-

“(12) श्री कंदारमल वर्मा वरिष्ठ लिपिक के वेतनमान रु. 330-560(पु.) अधीन मंडल चिकित्सा अधिकारी अजमेर को श्री के. सी. मिश्र द्वारा रिलीज किया गया रु.35/- स्पेशल पे दिया जाता है।

(13) श्री ओम प्रकाश वर्मा व. लि. डबल्यू शाखा वेतनमान रु.330-560(पु.) को श्री गंगासहाय शर्मा द्वारा रिलीज किया गया रु.35/-स्पेशल पे दिया जाता है।

(14) श्री एस. पी. गुप्ता व. लि. वेतनमान रु. 330-560 अधीन कार्य निरीक्षक राणा प्रताप सागर को श्री एन. एल. जयसिंहानी द्वारा रिलीज किया गया रु.35/- दिया जाता है।”

इस प्रकार मंडल रेल प्रबंधक ने उक्त आदेश द्वारा प्रार्थी को स्पेशल पे 35/-रु. स्वीकृत कर दी थी। यह स्वीकृत तथ्य है कि इस आदेश की पालना में प्रार्थी को स्पेशल पे नहीं दी गयी और अन्य कनिष्ठ वरिष्ठ लिपिक ओम प्रकाश वर्मा और एस.पी.गुप्ता को इसी आदेश की पालना में स्पेशल पे दे दी गयी है। प्रतिपक्षी के अनुसार उनसे वसूली की कार्यवाही चल रही है, किंतु इस संबंध में कोई आदेश या प्रमाण पत्र प्रस्तुत नहीं किया गया है। प्रतिपक्षी के अनुसार प्रार्थी ने श्रम साध्य पिन पोइंटेड सीट पर कार्य नहीं किया अतः उसे उनके अनुसार, स्पेशल पे नहीं दी गयी किंतु इस संबंध में प्रतिपक्षी का कोई अभिवचन नहीं है। प्रतिपक्षी ने उत्तर में स्पष्ट इकारी भी नहीं की है। अतः प्रार्थी के अभिवचन स्वीकृत माने जाने योग्य हैं अभिवचनों के अभाव में इस संबंध में प्रतिपक्षी के साथी अनिल चौबे के कथन महत्वहीन हैं। इसके अतिरिक्त मेडिकल सुपरीटेंडेंट ने अपने पत्र प्रदर्श एम-6 के अनुसार प्रार्थी का पिन पोइंटेड टेबुल पर कार्य करना मानते हुए 14-2-84 से स्पेशल पे 35/-रु. स्वीकृत किया है। किंतु इस आदेश की भी पालना नहीं हुई। मेरे विनम्र मत में प्रतिपक्षी के विद्वान अभिभाषक के तर्क में कोई सार नहीं है। प्रार्थी निरंतर स्पेशल पे देने की मांग करता रहा है और अंत में 1993 में सेवानिवृत्त हो गया अतः उसने 1995 में यह विवाद उठाया। अतः विलंब धातक नहीं है। इस प्रकार प्रार्थी रेफरेंस और अपने क्लेम के अनुतोष के अनुसार 14-2-84 से 35/-रु. स्पेशल पे प्राप्त करने का अधिकारी है। इसी के अनुसार

आगे स्थिरीकरण करवाकर परिणामिक लाभ पेंशन आदि प्राप्त करने का अधिकारी है क्योंकि इससे कनिष्ठ व्यक्तियों को भी यह लाभ दिया गया है।

### आदेश

फलतः प्रस्तुत विवाद का उत्तर इस प्रकार से दिया जाता है कि प्रार्थी कंदारमल वर्मा सेवानिवृत्त मुख्य लिपिक सी.एम.एस. कार्यालय अजमेर अपने रेलवे नियोजक से दि. 14-2-84 से रु.35/- स्पेशल पे (वेतन) पाने का हकदार है। जैसा कि उससे जूनियर लिपिक सर्वश्री ओम प्रकाश, व. लि. डबल्यू शाखा एवं श्री एस.पी.गुप्ता, व. लि. राणाप्रताप नगर को रु. 35/- स्पेशल वेतन दिया गया था उनसे रेलवे प्रशासन के लिखित पत्र दि. 30-5-95 के बाद भी स्पेशल वेतन की कटौती करना प्रतीत नहीं होता है और उन्हें स्पेशल वेतन के आधार पर पेंशन का लाभ दिया जा रहा है। प्रार्थी कंदारमल वर्मा दि. 14-2-84 से 35/-रु. स्पेशल वेतन और उसके अनुसार आगे स्थिरीकरण और बढ़ी हुई स्पेशल पे, सेवानिवृत्ति पर उसी के अनुसार पेंशन, ग्रेजुटी छुट्टियों का वेतन आदि परिणामिक लाभ प्राप्त करने का अधिकारी है। प्रतिपक्षी को निर्देश दिये जाते हैं कि प्रार्थी की बकाया राशि को तीन माह में भुगतान करें।

जी. एस. शेखावत, न्यायाधीश

नई दिल्ली, 12 जून, 2006

का.आ. 2616.-औद्योगिक विवाद अधिनियम, 1947 (1947 का 14) की धारा 17 के अनुसरण में, केन्द्रीय सरकार बीजापुर ग्रामीण बैंक के प्रबंधन के संबंध में नियोजकों और उनके कर्मचारों के बीच, अनुबंध में निर्दिष्ट औद्योगिक विवाद में केन्द्रीय सरकार औद्योगिक अधिकरण/श्रम न्यायालय, बंगलौर के पंचाट (संदर्भ संख्या 233/97) को प्रकाशित करती है, जो केन्द्रीय सरकार को 12-6-2006 को प्राप्त हुआ था।

[सं. एल-12012/15/96-आईआर (बी-1)]

अजय कुमार, डैस्क अधिकारी

New Delhi, the 12th June, 2006

S.O. 2616.—In pursuance of Section 17 of the Industrial Disputes Act, 1947 (14 of 1947), the Central Government hereby publishes the award (Ref. No. 233/97) of the Central Government Industrial Tribunal/Labour Court, Bangalore now as shown in the Annexure in the Industrial Dispute between the employers in relation to the management of Bijapur Grameena Bank and their workman, which was received by the Central Government on 12-6-2006.

[No. L-12012/15/96-IR(B-1)]

AJAY KUMAR, Desk Officer

**ANNEXURE****BEFORE THE CENTRAL GOVERNMENT  
INDUSTRIAL TRIBUNAL-CUM-LABOUR COURT  
"SHRAM SADAN"****III MAIN, III CROSS, II PHASE, TUMKUR ROAD,  
YESHWANTHPUR, BANGALORE-560 022.**

Dated : 26th May, 2006

**PRESENT**

Shri A. R. Siddiqui, Presiding Officer

**C. R. No. 233/97****I Party**Shri Iswarappa B. Kandagal  
(Since deceased represented  
by L R Smt. Shankaravva  
Ishwarappa),  
Primary Health Centre, Kaladi  
Bijapur**II Party**The Chairman,  
Bijapur Grameena Bank,  
Bijapur-586 101**AWARD**

1. The Central Government by exercising the powers conferred by clause (d) of sub-section 2A of the Section 10 of the Industrial Disputes Act, 1947 has referred this dispute vide Order No. L-120/2/15/96-IR (B) dated 14th May, 1997 for adjudication on the following schedule:

**SCHEDULE**

"Whether the management of Bijapur Grameena Bank is justified in dismissing the services of Shri Iswarappa B. Kandagal, Ex. Messenger-cum-Sweeper w.e.f. 26-6-1993? If not to what relief the workman is entitled to?"

2. A charge sheet dated 1-3-1993 came to be issued against the first party workman (since deceased) in the following terms:-

" Charge Sheet Under Regulation No. 30 of Bijapur Grameena Bank Staff Service Regulation, 1983.

Whereas it is proposed to hold an enquiry against you in accordance with the procedure laid down in Regulation No. 30 of Staff Service Regulation of the Bank.

And whereas, the article of charges in respect of which the enquiry is proposed to be held are mentioned here below:

That you have been posted to our Devarnavadagi branch vide our letter No. BCB/PER/MCS-4/92 dated 26-6-1992.

While working as Messenger-cum-Sweeper of Devarnavadagi branch it is observed that:

You had sent a telegram to the manager, Devarnavadagi branch for two days casual leave on 25-1-1993 and 27-1-1993. You did not submit any leave application following your said telegram. You were expected to report for duty on 28-1-1993. But you have not reported for duty on 28-1-1993 and remained unauthorisedly absent from your duties from 28-1-1993.

You have been issued with a show cause notice vide our letter No. BCG/PER/178/93 dated 16-2-1993, wherein you are advised to report for duty with your written explanation for your unauthorized absence within 3 days for receipt of the same. You have received the said show cause notice on 20-2-1993, but you failed to report for duty and did not submit your explanation till today.

You have been repeatedly absenting from your duties for which you are advised suitably. Even after several advises, you have not changed your attitude and remaining absent from duties without giving any information either to head officer or to branch. Similarly you remained absent from duty for which you were charge sheeted and appropriate punishment was imposed upon you vide order dated 27-11-1992. In spite of giving you the said opportunity you are repeatedly remaining absent from your duties.

This shows that you are not interested in continuing in the services of the Bank.

By your above acts, you have shown dereliction of duty, negligence, disregard and disrespect to Head Office directives. You are violated Regulation No. 17, 19 and 22 of Staff Service Regulations of the Bank and revealed lack of devotion to duty and dishonesty unbecoming of an employee of the bank. You have also shown carelessness and acted in detriment to the interest of the Bank.

For your above acts you are liable for penalties under Regulation 30 of Staff Service Regulation of Bijapur Grameena Bank 1983 by which you are governed.

Now, therefore, you are directed to submit within 7 days from the date of receipt of this charge sheet, a written statement of defence showing causes as to why Disciplinary proceedings should not be initiated against you and why appropriate penalties should not be imposed upon you in the event of charges being proved against you."

3. The first party received the charge sheet but failed to submit his explanation resulting into a domestic enquiry conducted against him and on the basis on the findings of the enquiry officer dated 11-5-1993 holding him guilty of the charges, the Disciplinary Authority taking into consideration the findings and the past service records of the first party proposed the punishment of dismissal by order dated 19-5-1993 and after giving opportunity of hearing which was not attended by the first party, passed an order dated 25-6-1993 dismissing the first party workman from the services.

4. The first party in his Claim Statement contended that he was working with the management as a Messenger-cum-Sweeper from 1983 onwards, sincerely and honestly and that he was suffering from illness so sent a telegram for two days leave on 25-1-1993 and 27-1-1993 followed by the leave application and was taking treatment as per the advise of the doctors suffering from mental depression. However, the management hurriedly and abruptly held an enquiry against him and taking undue advantage of his ignorance dismissed him from service while challenging the enquiry proceedings at Para 2 of the Claim Statement as against the principles of natural justice not giving him sufficient and reasonable opportunity to defend himself he also challenged the enquiry findings as well as the dismissal order passed against him as illegal and unjust and requested this tribunal to pass an award setting aside the dismissal order with his reinstatement in service along with other consequential benefits.

5. The management by its counter statement challenged the claim of the first party, inter alia, contending that the first party was engaged as a part time messenger-cum-sweeper on temporary basis from 19-12-1983 and was appointed as Probationary messenger-cum-sweeper from 10-03-1988 with one year probationary period and was confirmed in the services w.e.f. 25-03-1989; that he remained unauthorizedly absent from duty for 15 days during the probation period and failed to improve his attendance despite the letters dated 1-10-1988 and 12-01-1989. The management while referring to eighteen letters/memo right from the year 1990 till 1992 said to have been issued to the first party to improve his attendance, further contended that first party did not improve his attendance and was issued with the charge sheet dated 5-11-1992 resulting into a minor punishment of stoppage of increment with cumulative effect besides treating his absence on loss of pay with a warning to improve his attendance and be punctual to his duty in future; that the first party remained absent from 25-01-1993 sending a telegram requesting for two days casual leave on 25-01-1993 and 27-01-1993 but failed to report duty on 28-01-1993 and continuously remained absent thereafter. He was served with the letter dated 16-02-1993 to report for duty immediately submitting his explanation for his unauthorized absence. The first party did not respond to

the said letter. Therefore, the management was compelled to issue a charge sheet dated 10-3-1993 to which he failed to submit his explanation resulting into a Domestic Enquiry conducted against him during which enquiry he admitted the charges of unauthorized absence and on the basis of his plea of guilt and the oral and documentary evidence produced by the management enquiry findings were submitted holding him guilty of the charges and there upon he was dismissed from service, keeping in view his past service as well. The management contended that enquiry held against the first party was fair and proper giving him reasonable opportunity to defend himself and that the enquiry findings were based on sufficient legal evidence and that the order of dismissal was also legal and justified under the facts and circumstances of the case.

6. Keeping in view the respective contentions of the parties with regard to the validity and fairness or otherwise of the enquiry proceedings, a preliminary issue in that regard was framed and after due trial of the said issue, my learned Predecessor by his order dated 25-7-1999 recorded a finding in favour of the management holding that the DE conducted against the first party was in accordance with law. Thereupon, arguments were heard on merits and my learned Predecessor by his award dated 17-8-1999 dismissed the reference holding that the management was justified in dismissing the first party for proved misconduct. It is aggrieved by this award Smt. Shandaravva Ishwarappa Kandagal claiming herself to be the wife and legal representative of the deceased first party workman (first party died on 10-8-1999 and award was passed on 17-8-1999) approached the Hon'ble High Court in Writ Petition No. 26960/00 challenging the same on various grounds. His Lordship of Hon'ble High Court while setting aside the award in question vide his order dated 20-09-2005 remitted the matter back to this tribunal for fresh disposal making the following observations at Paras 6 & 7 of the order :

"It is no doubt true that the workman did enter appearance and filed his statement. He has also been provided with opportunity to have a trade union official to represent him before the tribunal. There is no evidence recorded on behalf of the workman. Labour Court ruled that the enquiry is fair and proper. Thereafter, the workman has not chosen to lead any evidence with regard to other issues. Labour Court in these circumstances has chosen to reject the reference by its order dated 17-8-1999. Husband of the Petitioner died on 10-8-1999. He has died before the order was passed by the Labour Court. However, Labour court was not informed about the death of the workman in the case on hand. It is seen from the averments of the writ petition that the workman was suffering from some ailment and that he could not attend the Tribunal on account of

illness. This is evidenced from the death certificate. Workman is no more. Therefore, there is no question of granting any reinstatement of the labour court. If at all, labour court has to consider only with regard to back wages, if available, in terms of the findings of the labour court. If for any reason labour court sets aside the dismissal order, the legal representatives of the deceased can claim compassionate employment. In the light of the death of the workman and in the light of the averments made in the writ petition, in my view of that justice would be done to the parties by setting aside the award and remitting the matter only for the purpose of consideration with regard to the relief either of back wages or with regard to setting aside the dismissal order for the purpose of compassionate employment.

In the circumstances, impugned award is set aside. Matter is remitted for re-decision. Liberty is reserved to the parties to file additional pleadings in the light of subsequent death of the workman. Further liberty is reserved to the parties to lead evidence with regard to compassionate employment and with regard to back wages in the light of the death of the workman. Parties are directed to appear without waiting for any notice on 7-11-2005. Learned counsel for both the parties are directed to inform their respective parties about the date of appearance before the tribunal. Labour court is directed to complete the entire proceedings within six months from the date of receipt of a copy of this order, without being influenced with the earlier award or this order. Ordered accordingly. No costs."

7. After the remand both the parties appeared through counsels and Smt. Shankaravva filed her additional claim statement contending that her husband had sent leave application during his tenure in service under the management but without considering the same the order has been passed. In any case her husband was suffering from ill health and also had domestic problems disabling him to attend the duty and that was within the knowledge of the management. She also contended that even otherwise the punishment for charges of unauthorized absence was disproportionate to the gravity of the misconduct particularly, when her husband had sufficient leave to his credit. She referred to various decisions of Apex Court, our High Court and other courts contending that the order of dismissal was not proportionate and she is entitled to either back wages or her appointment on compassionate ground, she being helpless widow without any source of income not able to maintain herself and her two minor children.

8. The management filed its additional Counter Statement contending that the deceased was not suffering

from any ill health and even if he suffered from ill health and had domestic problems he had no right to remain absent from duty without applying for leave and getting the same sanctioned. The management contended that the legal representative namely, Smt. Shankaravva was not staying with the deceased workman causing mental torture to him leading to his death and that he did not die for his illness. The management also contended that the first party was an habitual absentee who had invited as many as eighteen memos for his unauthorized absence prior to 1992 and during the year 1992 and 1993 also he continued to remain absent from duty and therefore the order of dismissal passed against him is very much proportionate keeping in view the gravity of the misconduct committed by him. The management contended that the first party is not entitled to any back wages nor his wife is eligible to get relief of compassionate appointment as he ceased to be the employee of the management in 1993 and he passed away in the year 1999. Therefore, as on the date of his death when he was not on the rolls of the management, question of his wife claiming compassionate appointment does not arise.

9. The management during the course of further trial of the case in the light of the directions made in the order of the Hon'ble High Court remanding the matter, examined MW2 by filing his affidavit and got marked twenty eight documents at Ex. M11 to M38 (Ex. M1 to M10 were marked already during the course of trial and preliminary issue). The wife of the deceased also filed her affidavit evidence and got marked five documents at Ex. W1 to W5 in support of her case. Both the management witness and the Legal Representative of the deceased workman (hereinafter called the LR) have reiterated the various contentions taken by them in their additional pleadings and therefore, need not be once again brought on record. I would like to come to their statements in cross examination and the documents as and when it is found relevant and necessary.

10. Learned counsel for the first party vehemently argued that charge of unauthorized absence levelled against the first party has not been proved as per the evidence brought on record and that the documents marked before this tribunal at Ex. M11 to M38 cannot be read in evidence just for the reason that they have been exhibited without the documents being proved by the supporting evidence. He contended that none of the aforesaid documents bear the signature of the first party as admitted by MW2 in his cross examination and therefore, those documents pressed into service to prove the past service record of the first party cannot be considered. He also contended that for the misconduct of unauthorized absence, punishment of dismissal is too excessive and harsh and therefore, Dismissal order is liable to be set aside on this count and also for the reason that workman is no more and it is his poor widow who has approached this tribunal and therefore, she deserved back wages as well as her appointment by the management on compassionate ground. He referred to as many as twenty seven decisions in support of his argument.

11. Learned counsel for the management on the other hand argued that the charge of unauthorized absence has been proved during the course of enquiry not only in the admission of the first party but also in the oral and documentary evidence produced by the management. He submitted that apart from establishing the charge of unauthorized absence under the charge sheet in question the management has also produced above said twenty eight documents at Ex. M11 to M38 to show that the first party is a habitual absentee, highly irregular to attend his duty during the period of five years of his confirmed service and therefore, it cannot be said that punishment of dismissal is disproportionate. He also brought to notice of this tribunal the conduct of the deceased in remaining absent before this tribunal throughout the proceedings despite raising the dispute so as to suggest that he is a habitual absentee. He submitted that when the first party has been removed from service in the year 1993 and is no more on the rolls of the management, question of considering the case of the LR for her appointment on compassionate ground or granting the relief of back wages does not arise. He cited various decisions in support of his argument that punishment of dismissal under the facts and circumstances of the case was very much justified.

12. It is to be made clear at the very outset that his Lordship of Hon'ble High Court though set aside the award passed by this tribunal, left untouched the orders passed by my learned Predecessor on DE issue holding that enquiry held against the first party is fair and proper. Therefore, now the next question to be considered would be as to whether the enquiry findings suffered from perversity and about the quantum of the punishment. Learned counsel for the first party in his arguments just submitted that evidence brought during the course of enquiry was not legal and sufficient to substantiate the charges of misconduct. He did not elaborate his argument as to how the oral and documentary evidence brought on record coupled with the plea of guilt made by the first party during the course of enquiry was not sufficient and satisfactory to be found basis for proof of charges of misconduct leveled against the first party. A perusal of the enquiry proceeding and the enquiry findings would make it abundantly clear that when the first party attended the enquiry he was read over with the charges of misconduct i.e. his unauthorized absence from duty from 28-1-1993, onwards till the date enquiry was taken up. He pleaded guilty of the charges. The management as can be read from the aforesaid proceedings and the findings, to be on safer side examined one witness and got marked in all six documents at Ex. MD1 to MD6. Ex. MD1 to MD3 were the reports with regard to the unauthorized absence of the first party made by MW1 the then Branch Manager. MW1 in his examination chief confirmed those reports to have been made under his handwriting further testifying to the effect that the first party never approached him reporting the

duty at the branch after 25-1-1993. In his disposition a letter at Ex. MD4 dated 16-2-1993 sent by Bijapur Grameena Bank, head office to the first party was also referred and it was observed that the first party by his letter dated 20-4-1993 had confirmed the receipt of the said letter and did not report for duty despite the said letter. Ex. MD5 is the letter written by branch in charge of Devar Navadagi Branch head office wherein the Branch Manager has stated that the first party did not report for duty till 4-3-1993 which fact was confirmed by MW1 in the course of his deposition. The next important document which was relied upon by the management to speak to the unauthorized absence of the first party for the period in question was Ex. MD6, the attendance register which register having been taken into consideration by the enquiry officer it was established that the Manager has marked in the attendance register, Casual Leave for two days on 25-1-1993 and 27-1-1993 and absence has been marked for remaining days from 28-1-1993 which observation again was supported by the testimony of MW1. The explanation offered by the first party in not joining the duty stating that he had family problems and was also not keeping well has rightly been rejected by the enquiry officer not being satisfactory as there was no evidence produced by him to suggest that he had applied for leave and taken the permission of the higher authorities in remaining absent from duty, that too, after having analysed the oral and documentary evidence produced by the management and taking into account the fact that first party found guilty to the charges and also did not dispute his absence from duty vide his letter dated 20-4-1993 and so also considering the fact that the documents produced by the management and the testimony of MW1 have gone unchallenged and uncontroverted. Learned enquiry officer in my opinion rightly came to the conclusion that the charge of unauthorized absence levelled against the first party has been proved by legal and sufficient evidence.

13. Now, coming to the question of quantum of punishment, learned counsel to justify the punishment of dismissal relied upon the past service of the first party taking the support of the aforesaid documents at Ex. M11 to M38, where under various letters/memos were addressed to the first party for his irregular attendance to duty and not mending his ways and improving his attendance despite the various warnings given to him.

14. Learned counsel for the first party submitted that documents at Ex. M11 to M38 cannot be read in evidence as mere marking of the documents as an exhibit does not dispense with its proof. He took support of a decision reported in AIR 1971 SC Page 1865 in this context.

15. Whereas, learned counsel for the management argued that these are not the documents manipulated for the sake of this case but they were very much in existence right from the year 1990 and the fact that the various advice

memos were issued to the first party in the past and he was once punished with stoppage of one increment has been very much brought out in the charge sheet itself I find substance in his argument. First of all the documents marked in this case were not marked subject to the objection raised on behalf of the first party but they have been marked by consent of the advocate representing the first party. Moreover, about the various memos issued to the first party and the past imposition of punishment of stoppage of one increment is the very subject matter of the charge sheet. Therefore, above said documents can be considered in order to appreciate the contention of the management about the past service of the first party. With all that now the significant question to be considered would be whether punishment of dismissal could be justified against the first party, since deceased, particularly, when there is no question of his reinstatement in service burdening the management with an employee very much irregular and indifferent to his duties and in view of the fact that it is the poor widow of the deceased who has come on record to seek the relief of setting aside of the dismissal order. The various decisions quoted on behalf of the management certainly read to the effect that in the cases of unauthorized absence, the management will be justified in terminating the services of the first party. At the same time their Lordship of Supreme Court in a decision reported in AIR 1997 SC page 2439, 2003 SC cases (L&S) 654 and 2004(101) FLR 193 have disapproved the punishment of dismissal in the cases of unauthorized absence. In the first case a Doctor was removed from service for an unauthorized absence of 5 years. Their Lordship while confirming the relief of reinstatement however denied the relief of backwages. In the second case their Lordship viewed the order terminating service of a School Teacher to be disproportionate to the gravity of the proved charges of unauthorized absence and granted relief of backwages to the extent of 60 percent. In the 3rd case punishment of removal for unauthorized absence for a period of 2 months and 8 days was found to be disproportionate.

16. In the instant case if we go by the charge sheet, the period of unauthorized absence is from 28-01-1993 till the date of 01-03-1993 when the charge sheet was issued. Therefore, period of absence hardly comes to a month or so. That apart, this absence of the first party though proved to be an unauthorized absence does not appear to be willful or without any reason or basis. It is the case of the first party and how by his wife that he was all along keeping ill health having family problems and that was the reason he was not regular to his duties. Though the management denied rather rightly denied the case of the first party that he was suffering from illness however, in their additional counter statement they were to admit that first party was suffering from mental torture given by his wife not staying with him. Therefore, it is in this view of the matter it cannot be said that the first party intentionally remained absent

from duty. Of course, he was supposed to apply for leave and after getting the leave sanctioned was supposed to proceed on leave but keeping in view the aforesaid admission by the management and the fact undisputed that first party had died pre-mature death, it also cannot be said that he was not suffering from illness before he breathed his last. It is under these circumstances of the case and in view of the fact that the first party is dead and gone not going to be imposed upon the management by way of reinstatement and the any relief to be given in this case will be in favour of his widow having two small children, it appears to me that punishment of dismissal will not be proportionate to the gravity of the misconduct committed by the deceased workman and in the result order of dismissal is liable to be set aside.

17. Now the next question to be considered would be the relief of backwages. Keeping in view the fact that the first party was a habitual absentee and he could not have been allowed to be continued in service by the management if he were to be alive and taking into consideration the relief of appointment to LR on compassionate ground, deserves to be considered by the management in the light of the setting aside of the dismissal order, it appears to me that LR of the first party is not entitled for any backwages for the period subsequent to the imposition of dismissal order passed against the first party. The only relief in my opinion which can be given to the first party (LR of the deceased) will be the relief of her appointment on compassionate ground. Accordingly the reference is answered and following award is passed:

#### AWARD

The management is directed to consider the case of the LR of the deceased for her appointment on compassionate ground as Messenger Cum Sweeper, as if the first party died while in the service of the management as per the rules and regulations governing the appointment on compassionate grounds within three months of publication of award. No costs.

(Dictated to PA transcribed by her corrected and signed by me on 26th May 2006)

A.R. SIDDIQUI, Presiding Officer

नई दिल्ली, 12 जून, 2006

का.आ. 2617.—औद्योगिक विवाद अधिनियम, 1947 (1947 का 14) की धारा 17 के अनुसरण में, केन्द्रीय सरकार स्टेट बैंक ऑफ इंडिया के प्रबंधन के संबद्ध नियोजकों और उनके कर्मचारों के बीच, अनुबंध में निर्दिष्ट औद्योगिक विवाद में केन्द्रीय सरकार औद्योगिक अधिकरण/श्रम न्यायालय, बंगलौर के पंचाट (संदर्भ संख्या 82/01) को प्रकाशित करती है, जो केन्द्रीय सरकार को 12-6-2006 को प्राप्त हुआ था।

[सं. एल-12012/218/99-आई आर (बी-1)]

अजय कुमार, डैस्क अधिकारी

New Delhi, the 12th June, 2006

**S.O. 2617.**—In pursuance of Section 17 of the Industrial Disputes Act, 1947 (14 of 1947), the Central Government hereby publishes the award (Ref. No. 82/01) of the Central Government Industrial Tribunal cum Labour Court, Bangalore as shown in the Annexure in the Industrial Dispute between the employers in relation to the management of State Bank of India and their workman, which was received by the Central Government on 12-6-2006.

[No. L-12012/218/99-IR(B-I)]

AJAY KUMAR, Desk Officer

#### ANNEXURE

#### BEFORE THE CENTRAL GOVERNMENT INDUSTRIAL TRIBUNAL-CUM-LABOUR COURT BANGLORE

Dated: 18th May 2006

PRESENT:

Shri A.R. SIDDQUI,  
Presiding Officer

C.R. No. 82/01

#### I Party

Shri Devadass,  
H. No. 4612,  
Bhashima Talkies Road,  
Mangalwar Pet,  
Raichur.

#### II Party

The General Manager,  
State Bank of India,  
48, Church Street,  
Bangalore-1

#### AWARD

1. The Central Government by exercising the powers conferred by clause (d) of sub-section 2A of the Section 10 of the Industrial Disputes Act, 1947 has referred this dispute vide order No. L-12012/218/1999-IR (B.L.) dated 6th December 2001 for adjudication on the following schedule:

#### SCHEDULE

"Whether the demand of Shri Devadass that he should be reinstated in the services of the State Bank of India with full back wages is justified? If so, what relief the concerned applicant is entitled?"

2 The case of the first party workman, as made out in the Claim Statement, to put in nut shell is that he after having studied up to SSLC joined the management bank in the month of November 1984 at their Raichur Branch working as a Temporary Messenger but carrying out the work of permanent nature; that he was going to the bank every day in the morning asking for work and the management used to provide him work and if there was no work the manager used to send him back though he was ready to work; the service conditions of the temporary employees are governed by various settlements and

awards such as Sastri Award etc. and as per Clause 20.7 of the Bipartite Settlement a temporary employee is appointed for a limited period of work which is of an essentially temporary nature and is employed temporarily as an additional workman in connection with the temporary increase in work of a permanent nature including a workman who is appointed in a temporary vacancy caused by the absence of a Permanent Workman and Clause 20.8 shows how the appointment has to be made to fill a permanent vacancy; that the first party was discharging permanent nature of work continuously from the year 1984 till February 1998 and on 1st March 1998 he was refused work by the Management though as per the settlement he came under the category 'C'. He was called for an interview and later on he was interviewed and the result has not been known; that the first party has been illegally stopped from attending to work from 1st March 1998 without providing any opportunity and without giving notice of 14 days as required under the settlement; that the first party since worked for 240 days of service and was always ready and willing to work and it is the management which refused work to the first party on certain days, and therefore, refusal of work to him amounts retrenchment, there being no compensation paid that the first party raised the Industrial dispute before the ALC. Bellary and where the appropriate government declined to make reference for settling an endorsement, he challenged the said order before the Hon'ble High Court in Writ Petition No. 10000 of 2000 and it is under the directions of the Hon'ble High Court the appropriate Government has made the present reference. Therefore, he requested to this tribunal to pass an award holding that the action of the management refusing him work was illegal and unjust and grant him the reliefs deemed fit by this tribunal.

3. The management by its Counter Statement spreading over 17 pages, challenged the claim of the first party workman not disputing the fact that the first party has been in the service of the management between the year 1984-1998 and that he fell in the category 'C' having completed a minimum service of 30 days aggregate temporary service after 1.7.1975. It further, contended that as per the various Bipartite Settlements, the vacancies as per the terms of the settlement have been filled with eligible candidates out of the panels of daily wagers and temporary peons maintained by the bank. The management contended that the first party who had put aggregate temporary service of less than 240 days in a continuous 12 months period during 1.7.75 to 31.7.1988 has no right to seek a direction to consider his candidature for absorption in the management bank under the rules and terms of the settlement. In fact, his case was considered under the settlements dated 17.11.1987, 16.7.1988, 27.10.1988, 9.1.1991 and 30.7.1996 and he was not found fit to be absorbed in permanent service. The management also contended that the first party has not worked continuously for a period of 240 days and more in any calendar year during the period 1984 to 1998 and therefore, he cannot claim reinstatement on the ground

that refusal of work to him amounts to retrenchment and illegal termination under section 2(oo) of read with section 25F of the ID Act. It was contended that the services of the first party were being engaged by the management bank intermittently against the vacancy caused by permanent employee going on leave and in case of increase of the work and at no point of time he was engaged continuously for a period of 240 days and more in any calendar year much less during the year 1975 to 1998 which period is relevant to find out whether it was a case of retrenchment and illegal termination. Therefore, the management requested this tribunal to reject the reference.

4. During the course of trial, the management examined one Mr.S.R. Kulkarni said to be working as Manager (Personnel & HRD) at Zonal Office, Hubli and got marked memorandum of settlement at EX.M1. His affidavit as an examination chief is just a replica of the various contentions taken by the management in its counter statement and therefore, need not be repeated once again.

5. On his part, first party filed affidavit evidence by way of examination chief reiterating the various averments made by him in his claim statement. In his further examination chief he got marked four documents namely, the month wise record of temporary service for the period from 1984 to 1998, Xerox copy of the pass book (first page), Xerox copies of ~~series~~ of payment of salary and allowances himself and others and the bank vouchers for payment of salary to him as per EX.W2 to W4 respectively. I would like to refer to the statement of MW1 & WW1 in their cross examination as and when found relevant and necessary.

6. Learned counsel for the first party Shri BDK vehemently argued that the evidence produced by the first party and the admissions made by the management are clear on the point that the first party as a temporary Messenger worked under the management right from the year 1984 till February 1998 and in the year 1996 he worked continuously for a period of 363 days and therefore, his case comes under Section 25B of the ID Act. He contended that the management with an oblique motive did not engage the services of the first party for a period of 240 days and more during 12 calendar months before refusing work to him so that he cannot get any relief or right under the provisions of the ID Act. He contended that even otherwise if we take the year 1997 and 1998 as one calendar year, the first party has put in continuous service of 241 days and therefore, he has fulfilled the requirement of Section 25B and since the management has refused work to the first party workman in violation of Section 2(oo) read with Section 25 F of the ID Act he is entitled to reinstate in service. He also contended that in order to calculate the working days, holidays falling during the calendar year must be taken into account and that is done, the first party has fulfilled the requirement of Section 25B of the ID Act even during the period of 12 calendar months immediately preceding his removal from service. Learned counsel in support of his argument cited the following four decisions :

1. 1983(1)LLJ page 30

2. ILR 1986 Kar Page 768

3. 1985 ILR Kar page 1390

4. 2002(III) LLJ Page 885

7. Learned counsel for the management argued that the name of the first party appeared in the panel consisting the temporary employees and daily wagers prepared for the year 1992 and his name under category 'C' was at Sl.No.86. The management provided employment to the wait listed candidates up to Sl. No. 34 and the available vacancies were filled up on and from 31.3.1997 and the list itself has been lapsed and therefore, the first party cannot be accommodated. He referred to certain rulings as quoted in the counter statement.

8. The facts undisputed are that the first party has been in the employment of the management bank right from the year 1984 up till February 1998. The documents at EX.W1, a statement showing the month wise record of temporary service rendered on regular scale wages between 1.2.1975 to 31.2.1988 produced by the first party is the statement prepared by the management branch itself namely the Manager, Raichur and this would disclose that first party in the service of the management of course on temporary basis right from the year 1984 till he was refused work in the month of February 1998. The other documents at EX.W3 showing the payment of salary and allowances to the substitute Watchman/ Messengers is again to disclose that from August 1989 up till February 1998 the first party has been in the service of the management receiving the salary on scale wages basis. There is no denial of the fact that the first party being engaged by the management during the period from 1984 to end of February 1998. The argument advanced by the management are only to the effect that services of the first party could not be regularized or that he was not absorbed in service permanently not being found suitable or fit despite the interview conducted. There was no argument advanced as to whether the first party is entitled to be reinstated in service as per the points of reference referred to this tribunal. Now, therefore, the only question to be considered in this case is whether the first party has worked continuously for a period of 240 days and more in any calendar year or in a calendar year preceding immediately the date of refusal of work to him. In the instant case, if we calculate the days backward from February 1988 to March 1987 then requirement of continuous service of 240 days and more has not been fulfilled by the first party as during the above said period of 12 months he just worked for 151 days as per the aforesaid document at Ex. W3 showing the payment of salary and allowances to the temporary workers. However, there appears to be very much substance in the arguments advanced by the first party that the management with an oblique motive did not engage the first party for a period of 240 days and more during the aforesaid 12 calendar months so as to deny him the benefit arising out of the provisions

under the ID Act. This argument for the first party gets support from the undisputed fact that the first party was engaged for a period of 363 days in the year 1996 and for a period of 182 days during the year 1987. It is yet to be explained by the management as to what prevented it not to engage the first party on temporary basis for a longer period than the period as shown in Ex. W1 as noted above. It is not the case of the management as well that temporary work was not available with the bank so as to engage the services of the 1st party. A perusal of the aforesaid document at Ex. W3 would disclose that during the period of 12 calendar months backward from February 1998, the management had engaged many other temporary employees namely, Narayan Reddy, Kariappa and others and engaged the first party workman only for a period of 151 days during the said period. This argument for the first party gets support from the fact that he was engaged for more than 240 days during the year 1996. Therefore, it appears that the management with a view to deny the rights and benefits available to the first party under the provisions of the ID Act adopted this tactics in not engaging the first party for a period of 240 days and more during the 12 calendar months immediately preceding the refusal of work to him. Even otherwise as argued for the first party if we consider the year 1997-98 as one calendar year then the working days, services for which utilized by the management by engaging the first party would come to 241 days thereby the first party fulfilling the requirement of Section 25 B of the ID Act and his case coming under the provisions of Section 2(oo) read with Section 25F of the ID Act.

9. If we go by the principle laid down by their Lordship of Delhi High Court reported in 2002(3) LLJ page 885 the position of law on the point gets much more clear as to what conditions are necessary to fulfill the requirement of Section 25B of the ID Act. The principle laid down by his lordship of Delhi High Court at Para 13 & 20 of the decision relevant for the purpose are as under :

“ If the aforesaid object is kept in mind Section 25B cannot be given a restrictive interpretation in so far as the definition of continuous service is concerned. In fact the expression used is 12 calendar months preceding the date and the word “immediately” has not been used. There is force in contention of learned counsel for the petitioners that if only immediate previous calendar months are taken into consideration, it will result in an anomalous situation where an employer will be giving artificial breaks in service for the immediate preceding calendar year and deny the workman the benefit even though the workman has worked for more than 240 days in preceding calendar years though it may not be so in the immediate preceding calendar year. The object of Section 25B is only for the purpose of computation of continuous service and the substantive provision is Section 25F of the Act. The Division Bench of

Karnataka High Court in Hutchiah's case (supra) has negatived the contention which is sought to be advanced by learned counsel for respondent No. 2. The view of learned single judge of the Rajasthan High Court in Chief Engineer, Irrigation's case (supra) is also to the same effect. Petitioners 2 & 3 have worked only for little over 240 days in 1984. In fact the total period worked by petitioners 2 & 3 from 1984 to 1986 when their services were terminated is 581 and 569 days respectively. There is also a passage of time of almost 16 years. For these reasons the principle set out in the aforesaid judgments including of shorter period of time worked and lapse of long period of time since termination would squarely apply to the facts of the present case. Considering the period of time the petitioners have worked and the lapse of time since then I deem it appropriate that a sum of Rs. 50,000 each should be paid to the said workmen in lieu of the payment of back wages and claim of reinstatement. The award of the labour court is modified to the aforesaid extent and the Writ Petition is disposed of accordingly leaving the parties to bear their own costs.”

10. Therefore, from the reading of the aforesaid passages in the decision it can be very well gathered that the object of Section 25B for the purpose of continuous service will be very much achieved if the workman concerned is able to substantiate before the tribunal that he had worked for more than 240 days in preceding calendar years though might not have worked for a period of 240 days in 12 calendar months immediately preceding the termination of his services. His Lordship also referred to the judgement in 'Mohan Lal's' case in this context and made it clear that in the said case much more liberal view was taken by the Apex Court to calculate the period of 240 days moving backward from the date of retrenchment and that period of 240 days need not be only 12 months calendar period so as to attract the provisions of Section 25 F of the ID Act. Therefore, in the instant case, the first party has been able to establish before this tribunal that he has worked for a period of about 1843 days from the year 1984 to 1998 and that he also worked continuously for a period of 240 days and more during the year 1996 and therefore, he has very much fulfilled the requirement of provisions of Section 25 B of the ID Act and if that were to be the case it can be safely held that the action of the management hit the provisions of Section 2(oo) of the ID Act amounting to retrenchment.

11. Undisputedly the management has not complied with the provisions of Section 25 F of the ID Act nor it has fulfilled one of the terms of the Bipartite Settlement making it mandatory for 14 days notice to be issued to the temporary worker before his services came to be terminated. In the result the case on hand appears to be a case of retrenchment and there is no compliance of Section 25 F of the ID Act, it amounts to illegal termination and accordingly it is to be

held that action of the management in terminating the services of the first party is illegal and void abinitio.

12. In the normal course when the action of the management is held to be illegal the natural corollary would be the reinstatement of workman into the services of the management. However, in the instant case undisputedly the first party had been working with the management of course for a period of about 14 years that too intermittently and it was on temporary basis not getting eligibility of right of absorption into permanent service. It is the case of the management that he being on the panel of temporary daily wages, his case was considered for the purpose of absorption of his services, but he was not found fit. The fact that first party was interviewed has been very much admitted by the first party himself in his claim statement referred to supra. Keeping in view of the fact that the first party was engaged by the management on temporary basis till the date he was refused work, it will not be in the interest of justice in calling upon the management to take him back in service just on the ground that termination of his services amounts to retrenchment and there was no compliance of Section 25 F of the ID Act as in the case of his reinstatement, the management again will be at liberty to terminate his services complying with the provisions of Section 25F of the ID Act. Therefore, under the facts and circumstances of the case what appears to me is that the first party shall be paid some amount by way of compensation, he could have got under the provisions of ID Act and towards the service rendered by him for a long period of 14 years though intermittently. Therefore, to meet the ends of justice, it will be proper for the court to direct the management to pay a sum of Rs. 1 lakh to the first party by way of compensation in lump sum towards his full and final settlement of claim against the management in lieu of reinstatement and back wages. Hence the following award:

#### AWARD

The management is directed to pay a sum of Rs. 1 lakh to the first party by way of compensation in lump sum towards the settlement of his full and final claim against the management. The amount shall be paid within a period of 3 months from the date of publication of this award or else it shall carry interest at the rate of 10 per cent per annum till the realization of the amount. No costs.

(Dictated to P.A. transcribed by her, corrected and signed by me on 16th May, 2006).

A. R. SHODHUL, Presiding Officer

12 जून, 2006

का. अ. 2618 - औद्योगिक विवाद अधिनियम, 1947 (1947 का 14) के अन्तर्गत का अनुसूचक में, केन्द्रीय सरकार, स्टेट बैंक ऑफ़ इंडिया के प्रबंधन के संबंध में विवादियों और उनकी कर्मचारियों के बीच अनुसूचक में औद्योगिक विवाद में केन्द्रीय सरकार औद्योगिक

अधिकरण/श्रम न्यायालय, सं. II, धनबाद के पंचाट (संदर्भ संख्या 216 आफ 2001) को प्रकाशित करती है, जो केन्द्रीय सरकार को 12-6-2006 को प्राप्त हुआ था।

[सं. एल-12011/35/2001-आई आर (बी-1)]

अजय कुमार, डेस्क अधिकारी

New Delhi, the 12th June, 2006

**S.O. 2618.**—In pursuance of Section 17 of the Industrial Disputes Act, 1947 (14 of 1947), the Central Government hereby publishes the award (Ref. No. 216 of 2001) of the Central Government Industrial Tribunal/Labour Court, No. II, Dhanbad now as shown in the Annexure in the Industrial Dispute between the employers in relation to the management of State Bank of India and their workman, which was received by the Central Government on 12-6-2006.

[No. L-12011/35/2001-IR(B.1)]

AJAY KUMAR, Desk Officer

#### ANNEXURE

#### BEFORE THE CENTRAL GOVERNMENT INDUSTRIAL TRIBUNAL (NO. 2) AT DHANBAD

#### PRESENT:

Shri B. BISWAS, Presiding Officer

In the matter of an Industrial Dispute under Section 10(1)(d) of the I.D. Act, 1947.

#### REFERENCE NO. 216 OF 2001

**PARTIES:** Employers in relation to the management of State Bank of India, Patna and their workman.

#### APPEARANCES:

On behalf of the workman : Mr. G.K. Verma,  
General Secretary,  
State Bank of India  
Employees Union  
(Bihar State).

On behalf of the employers : Mr. A.K. Gupta,  
Law Officer.

State : Jharkhand Industry : Banking.

Dated, Dhanbad, the 16th May, 2006.

#### AWARD

The Govt. of India, Ministry of Labour, in exercise of the powers conferred on them under Section 10(1)(d) of the I.D. Act, 1947 has referred the following dispute to this Tribunal for adjudication vide their Order No. L-12011/35/2001/IR(B-1), dated the 13th Sept., 2001.

## SCHEDULE

"Whether the action of the Management of State Bank of India, Patna in transferring from Local Head Office, Patna to Frazer Road, Patna to Sri P.S. Pal, Organising Secretary of the Union (Assistant at Bank) in compliance of Bank's circular personnel No. 72 of 1984 and as given in paragraph 535 of Sastry Award is justified? If not, what relief the workman is entitled?"

2. The case of the concerned workman according to Written Statement submitted by the sponsoring union on his behalf in brief is as follows:—

The sponsoring union submitted that the management of State Bank of India at Apex level formulated policy with regard to transfer of clerical staff in 1983 though without any agreement signed between the management and the majority union in respect of transfer policy of clerical staff. The Apex level management at Mumbai, of its own, formulated a clerical transfer policy and informed all Local Head Offices to issue circular for information of all concerned. Patna Local Head Office also issued its Circular Personnel No. 69 of 1983 on 6-4-83 for information of all offices in Patna Circle. In para 4(ix) of the said circular it was reiterated that the policy of transfer of clerical staff would be reviewed in November, 1983 but no review was made and for which said policy is still in vogue. By way of clarification management in 1984 formulated policy regarding transfer of union functionaries and the same was circulated by Patna Circle management of the Bank vide its circular Personnel No. 72 of 1984 dated 8th May, 1984. According to this circular the Central/Working/Executive Committee members of the Circle Award Staff of the union and their Local/Branch Secretaries were exempted from transfer under Bank's clerical transfer policy. It was the policy of the management that the transfer of union functionaries was to be governed by the provisions of Sastry Award. They submitted that the Sastry Award which is still in operation had given directions to the Bank including the State Bank of India regarding transfer of the Union's President, Vice President and the Secretaries in its chapter XXVIII, paragraph 535. According to it whenever the office bearers mentioned above of registered unions are to be transferred, representation, if made either in writing or oral by the union has to be considered. If any order of transfer is ultimately made, a record is to be made by the bank of such representation and the bank's reasons for recording them as inadequate and the same are to be communicated to the Union as well as to the employee concerned. They submitted that the terms and conditions of employment in the Sastry Award have statutory force and are binding on parties. They submitted further that neither in the Sastry Award nor in the State Bank's Patna LHO Personnel Circular Nos. 69 of 1983 and 72 of 1984 any distinction has been made in respect of transfer of the members and office bearers of the minority and majority unions and/or recognised and unrecognised unions.

They submitted that the concerned workman Mr. P.S. Pal was appointed in S.B.I on 13-2-72 as a clerk/Assistant and was posted at Local Head Office, Patna. He was last posted in the department headed by the Assistant General Manager (Budget and Performance Monitoring/MIS) State Bank of India, Local Head Office at Patna. The concerned workman Shri Pal was re-elected as Organising Secretary of State Bank of India Employees Union (Bihar State) at its Dalmianagar Conference on 24th-27th April, 1997 and is continuing as such. They disclosed that whereas the Executive Committee of the majority Union named as State Bank of India Staff Association (SBISA) is known as Central Committee, the same of State Bank of India Employees Union (Bihar State) (SBIEU) is known as Working Committee. According to Bank's Circular PER No. 72 of 1984 both the members of the Central Committee of the majority union named above and the working committee of the sponsoring union are not to be subjected to transfer under the Bank's clerical transfer policy at present. At the intervention of the majority union the management issued the order of transfer of some important functionaries of the minority union. Since those transfers were discriminatory in nature with the intention to cripple the Union a big industrial unrest came into existence and over the said issue the Govt. of India considered it as an Industrial dispute and referred the matter to Industrial Tribunal No. 1, Dhanbad. The said reference was registered as Ref. No. 13 of 1985 and according to the submission of the sponsoring union an Award was passed observing that the transfer of those union functionaries were not justified. They alleged that after passing the said Award management though did not dare to transfer office bearers of their union but with vindictive attitude transferred its members in a very discriminatory way only with the intention to create pressure psychologically. They alleged that as the concerned workman was very much involved in the trade union activities with a view to strengthen the backbone of their union management with detrimental attitude and in a very discriminatory manner transferred the concerned workman on 15-7-1997. The said transfer was not only in violation of the Bank's Circular PER. No. 72 of 1984 but also was in complete disregard to the statutory rules of paragraph 535 and 536 of Sastry Award with regard to transfer of Union's office bearers. They alleged that as a result of illegal and arbitrary transfer of the concerned workman a serious impact came into existence and for which the membership of their union was reduced in a very considerable number. As a result, the sponsoring union filed a Writ Petition before the Hon'ble Patna High Court which was registered as CWJC No. 6760 of 1997. Hon'ble Court thereafter ordered to stay the said transfer of the concerned workman and for which management was forced to allow the concerned workman to rejoin his post at Patna Local Head Office. As a result management illegally and arbitrarily withheld the salary and allowances of the concerned workman from 1-7-97 to 5-10-97 although

he worked between 1st July to 15th July, 1997 at Local Head Office. They disclosed that in the year 2000 management filed a counter affidavit wherein they disclosed that in case of administrative need even the office bearers of the recognised (majority union) can also be transferred. In view of that assurance which proved to be false in due course the lawyer did not press that Writ Petition and accordingly the stay of transfer granted vide order dt. 1-10-97 was vacated. They submitted that taking advantage of the said order of the Hon'ble Court management issued a Memorandum BPM/308 dt. 6-12-2000 to the concerned workman expressing their intention to transfer him once again to Frazer Road Branch of the bank on 12-12-2000 and again elsewhere should the exigencies of service so warrant. Barring the concerned workman no such order of transfer was issued against any other employee. They submitted that in terms of provision of para 535 of the Sastry Award they raised question how the Organising Secretary of their union was transferred particularly when there was no administrative necessity nor his transfer was required for exigency of service. They alleged that ignoring the specific observation made in para 535 of Sastry Award management illegality and arbitrarily relieved the concerned workman at the close of business on 12th December, 2000 for Frazer Road Branch. They submitted further that in their Memorandum No. BPM/316 dt. 12-12-2000 issued to the concerned workman while relieving him for Frazer Road Branch, the management cryptically informed the employee that the representation dt. 9-12-2000 of the General Secretary SBIEU (Bihar State) was considered by them and the same had been found to be inadequate. However, did not assign reason why the representation was treated to be inadequate and did not communicate its decision to the union regarding rejection of the union's representation dt 9-12-2000 as required under paragraph 535(5) of the Sastry Award. They alleged that management violated its own guidelines in respect of transfer policy vide their circular No. 69/83 in respect of members of the majority union whereas in pursuance of their unfair labour practice the members of the minority union have been transferred. Against that illegal order of transfer they preferred a Writ Petition before the Hon'ble High Court, Patna which was registered as CWJC No. 72/2001. But in course of hearing as management agitated that the matter in issue was required to be explored before the appropriate forum under the I.D. Act, 1947 the Hon'ble Court disposed of the said Writ Petition with the observation that the petitioners may take appropriate step as per provision laid down under the I. D. Act, 1947. In view of that observation they raised industrial dispute before the ALC(C), Patna for conciliation which ultimately resulted reference to this Tribunal for adjudication. The sponsoring union accordingly submitted prayer to pass Award holding that the action of the management of the State Bank of India, Patna in transferring the concerned workman Shri P. S. Pal, the organising Secretary of SBIEU (Bihar State)

from BPMM Department, State Bank of India, Local Head Office Patna to Frazer Road Branch of Patna first on 15-7-97 and again on 12-12-2000 as unjustified. They submitted further prayer to pass Award directing the management to release the wages withheld by them with 18% interest.

3. Management on the contrary after filing Written Statement-cum-rejoinder have denied all the claims and allegation which the sponsoring union asserted in the Written Statement submitted on behalf of the concerned workman.

They submitted that the reference in question is not maintainable and not tenable in law since the aforesaid dispute is not an Industrial dispute rather a false and frivolous individual dispute raised by the employee with mala fide intention of colouring the transfer of the concerned workman. They submitted that it is the prerogative of the management to transfer its employees from one place to another or from one centre to another on exigency of work and administrative reasons for the efficient running of the institution and the employee cannot direct or impose his choice of posting on the management. They disclosed that in terms of Section 28(d) of the Trade Union Act relating to the recognition of trade union one of the conditions stipulated for recognition is that the union seeking recognition must be representative of all employees employed in an organisation or industry. Further Section 28(g) of the Act states that an Union may be derecognised if it ceases to be a representative of the workmen employed in the industry. They submitted that if the contention of the union is accepted that para 535 of the Sastry Award is applicable to all registered trade unions then it would lead to a preposterous positions and all the minority unions taking the observation of para 535 of Sastry Award will come forward and place their claim for exemption from transfer of their office bearers. They submitted that the union by demanding exemption from transfer under paras 535 and 536 of Sastry Award is covertly seeking recognition. They submitted that Hon'ble Supreme Court in the case of State of Punjab Vs. Gandhara Transport observed that an Industrial dispute should be raised by a substantial/appreciable body of workmen so as to constitute an industrial dispute. In the present case the union is expousing cause of microscopic/negligible workmen in the Bank and hence the present dispute is not an Industrial Dispute. They submitted that to maintain industrial peace/harmony it is necessary that the Bank deals with the majority recognised union only. They disclosed that the concerned workman was rendered surplus at the Local Head Office due to computerisation of work and subsequently requirement of Assistant at Frazer Road Branch at Patna. Therefore, the concerned workman was transferred to Frazer Road Branch Patna vide Memo. No. BPM/316 dt. 12-12-2000. They further submitted that earlier the concerned workman was transferred to Frazer Road Branch vide Order dt. 15-9-97 which was challenged by the workman

by filing a Writ Petition bearing No. CWJC-6760 of 1997 before the Hon'ble Patna High Court. The same was dismissed by the Hon'ble High Court vide its order dt. 7-9-2000. They submitted that the concerned workman has suppressed the provision under Circular No. 72 of 1984 wherein it has been confirmed that the management has got the right to transfer its employees on exigencies and for administrative reasons. Subsequently under IVth bipartite settlement the same policy has been retained. They submitted that the sponsoring union has raised a false, baseless and frivolous allegation against the management in the matter of his transfer. They submitted that members of the recognised union i.e. they majority union have also been transferred. They categorically submitted that the provisions of paragraph 535 of Sastry Award are not applicable to the minority union and moreover transfers are made on account of exigencies of work. Accordingly management submitted that by issuing order of transfer in the name of the concerned workman neither they violated any rules and regulations nor they made it with vindictive attitude. Accordingly they submitted that as the claim of the sponsoring union is baseless they are not entitled to get any relief.

#### 4. POINTS TO BE DECIDED

"Whether the action of the Management of State Bank of India, Patna in transferring from Local Head Office, Patna to Frazer Road, Patna to Sri P.S. Pal Organising Secretary of the Union (Assistant at Bank) in compliance of Bank's Circular personnel No. 72 of 1984 and as given in paragraph 535 of Sastry Award is justified? If not, what relief the workman is entitled?"

#### 5. FINDING WITH REASONS

It transpires from the record that the sponsoring union with view to substantiate their claim examined two witnesses viz. WW-1 and WW-2. Management also in support of their claim examined two witnesses viz. MW-1 and MW-2. Considering the facts disclosed in the pleadings of both sides and also considering other materials on record it transpires that Patna Circle management functioning in the State of Bihar and newly created stated Jharkhand are under the over all control of the Bank's Corporate (Central Office Mumbai. Under Patna Circle there are two employees union viz. (1) State Bank of India Employees Union (Bihar State) which is affiliated to All India Bank Employee Union through its State Federation viz. Provincial Banks Employees Association and (2) State Bank of India Staff Association affiliated to All India State Bank of India Staff and National Confederation of Banks employees. It is admitted fact that the State Bank of India Employees Union (Bihar State) is a minority union in State Bank of India Patna Circle while the State Bank of India Staff Association is a majority union. Instant dispute as per reference cropped up over transfer of the concerned workman who is an office bearer of State Bank of India Employees Union (Bihar

State) which is considered as minority union. WW-1 during his evidence disclosed that in the year 1997 he was Organising Secretary of their union viz. State Bank of India Employees Union (Bihar State) and still holding the same portfolio of their union. This witness disclosed during his evidence that as per policy of the Bank an Organising Secretary of the union is not be transferred so long he holds such post. The question crops is whether this union is a registered trade union or not. It has been emphatically submitted by WW-1 that their union is a registered trade union and according to Sastry Award the Central Committee Members/working committee members/Executive committee members of a Circle/Unit are not subjected to transfer if such transfer is not required absolutely for the interest of administration. As per the policy of the management which has been agitated by the sponsoring union that there is not scope for showing any discrimination with regard to the transfer as well as policy matter between the majority union and the minority union and recognised union or unrecognised union. They submitted that in practical field the management do not follow such policy and practically victimise the worker who are the members of minority union. The representative of the sponsoring union referring the evidence of MW-2 pointed out that in the eye of the management there is no importance of the minority union and intention of the management actually is to frustrate the observation made in the Sastry Award in support of this claim they ruled on the evidence MW-2 who during his evidence disclosed categorically that benefit of para 535 of the Sastry Award is only given to the majority union. The office bearers of the majority union are only entitled to get all facilities. They submitted that this averment of MW-2 has clearly exposed the mind of the management how they consider the position of the minority union in the bank. It is the specific allegation of the sponsoring union that though management was fully aware that the concerned workman was an Organising Secretary of their union first issued order of transfer in the year 1997 directing him to join at Frazer Road Branch. It has been alleged by them that such order of transfer was issued by the management with some ulterior motive knowing fully well that the concerned workman was an office bearer of his union. They alleged that though management issued an order of transfer against an office bearer of their union never considered necessary to transfer the office bearer of the majority union. Against that order of transfer of the concerned workman, the sponsoring union preferred a Writ Petition before the Hon'ble Patna High Court and Hon'ble Court stayed order of his transfer. The concerned workman as such was reposted at Local Head Office. It has been alleged by the sponsoring union that after vacation of the said stay order management again transferred the concerned workman at Frazer Road Branch in the month of December, 2000 in a very designed way though it was declared a surplus branch. WW-1 during his evidence disclosed that at the time of his transfer during 2000 the strength of members of their union at Local Head Office was 100.

However, after his transfer it came down to 9 only. This witness disclosed further that management never transferred any office bearer of the majority union from the Local Head Office to any other branch and accordingly he submitted that the said order of transfer was made with vindictive attitude. This witness further disclosed that in view of said order of transfer he joined at Frazer Road Branch on 31-12-2001. Two days after joining there he was again transferred to Zonal Office for his posting elsewhere. As the sponsoring union raised protest against the order of transfer the Zonal Office recalled that order and again posted him at Frazer Road Branch but when he joined there the Local branch office did not provide him any work to perform. Therefore, considering evidence of WW-1 it transpires that knowing fully well that the concerned workman was an Organising Secretary of their union was first transferred to Frazer Road branch in the month of July 1997 from local Head Office and thereafter again he was transferred at Frazer Road branch by office order dt. 6-12-2000 marked as Ext. M-2. But two days after he was again transferred to Zonal Office for his further transfer to elsewhere. However, their such attempt was not materialised due to protest raised by the union of the concerned workman.

Clause 535 of Sastry Award has made guideline about transfer of the office bearers of the union. Clause 535 speaks as follows :—

"Policy regarding transfers is a constant source of friction between the banks and the workmen now organised into unions. The cry of Victimisation of office bearers and "activists" of trade unions is raised wherever such transfers are mooted. We have found that such allegations are easily made but not so easily substantiated. Transfers are rendered necessary by the exigencies of administration. The proper view to take is that transfers are normal incidents of the working of a bank and they must be left to the discretion of those who guide the policy of the bank and manage its affairs. It is possible that the discretion may be abused and transfers affected on consideration other than the needs of administration. The percentage of transfers as shown by the figures furnished by some of the banks in the course of arguments leads us to the conclusion that the question of transfer, even as it is, affects only a very small number of persons. This is conceded by the workmen also. Still where ever an activist of the trade union movement, as yet in its formative stage and liable to be crippled easily, is transferred a suspicion naturally arises that it is inspired by ulterior motives and the consequence thereof may be an industrial dispute. In order that such suspicions may be avoided as far as possible we, adopting the Sen Award in this respect, give the following directions :—

- (1) Every registered bank employees' union, from time to time, shall furnish the bank with the names of the President, Vice-President and the Secretaries of the union;
- (2) Except in very special cases, whenever the transfer of any of the above mentioned office bearers is contemplated, atleast five clear working days' notice should be put up on the notice boards of the bank of such contemplated action;
- (3) Any representations, written or oral, made by the union shall be considered by the bank;
- (4) If any order of transfer is ultimately made, a record shall be made by the bank of such representations and the bank's reasons for regarding them as inadequate; and
- (5) The decision shall be communicated to the union as well as to the employee concerned.

In point No. 2 of clause 535 Hon'ble Judges observed very clearly that excepting in very special cases, whenever the transfer of any of the above mentioned office bearers are contemplated, atleast five clear working days notice should be put on the Notice Board of the Bank of such contemplated action. There is no whisper at all on the part of the management if they followed this direction before issuance of any order of transfer in favour of the concerned workman. No evidence also is forthcoming on the part of the management that if they made any record about representations submitted by the union and also if they assigned reason that claim made by the union for non-implementation of the order of transfer was inadequate. Hon'ble Judges practically discouraged transfer of the office bearers of the union excepting in very special cases. The Circular Per No. 72 of 1984 dt. 8-5-1984 marked as Ext. W-2/1 issued by the management speaks clearly in para 2 (i) that Central/ Working / Executive Committee Member of the circle Award staff union and their Local/Branch Secretaries need not be subjected to transfer under the policy at present. Their transfer will continue to be governed by the provision of Sastry Award. However, in Para-3 of the said circular it was observed further that Bank's right of transfer, on administrative grounds, as per the Bank's requirements and exigencies of service, under Para-536 of the Sastry Award will remain unaffected. It is not expected that as the staff is an office bearer of the union of the bank he should be immuned from his transfer. para-3 accordingly I consider is based on the ground following equity and justice but before issuing any such order of transfer of any office bearer it has to be looked into if that transfer was as per the Bank's requirement and exigencies of service as provided in para 535 of the Sastry Award. Therefore, stress should be given in Bank's requirement and exigencies of service. Now it has to be looked into if the transfer order of the concerned workman who was an office bearer viz. Organising Secretary of the union was needed for the Bank's

requirement and exigencies of service. I have failed to understand why on consecutive two occasions the concerned workman who is an Organising Secretary of his union was transferred at Frazer Road branch in the year 1997 and in the year 2000. If his transfer was needed for the exigencies of service then why he was taken back to Zonal Office within two days after his transfer there? Why it was contemplated by the management that he might be transferred else where after taking him back to Zonal Office from Frazer Road branch. No satisfactory explanation could be placed by the management at the time of hearing. It is therefore, clear that such order of transfer of the concerned workman was not for the interest of Bank's administration and also for exigencies of service but for some other reasons best known to the management. The sponsoring union in course of hearing categorically submitted that to victimise the general activities of their minority union management started showing arbitrary attitude towards the members to the minority union. They disclosed that had not been so why order of transfer was made against the concerned workman repeatedly to recover him from local Head Office where they had a good number of members. The sponsoring union in their letter marked as Exht. M-7/3 pointed out that due to discriminative policy adopted by the management when a large number of members of majority union remained in the same office for the past 25 years or more without any order of transfer as their union is a minority union they have been subjected to transfer irrespective of the fact if that staff is an office bearer or not. They disclosed that Sri Kamala Prasad Singh, Clerk posted at J. C. Road Branch (In the ground floor of the L.H.O. Building) since 1967. In L.H.O. Sri Jagdish Prasad is posted for more than the period of posting Sri purnendu Sekhar Pal. The lowest functionaries of the recognised union in the one establishment of L.H.O., Sri Amitabh Sinha President of the L.H.O. Unit and Sri Barun Choudhary, Secretary of the L.H.O. Unit are posted at L.H.O. since 1974 and 1977 respectively. This fact has been referred to by the sponsoring union in view of policy decision taken by the management as per para 2.2 of Circular Per 72/84 dt. 8-5-1984 marked as Ext. W-2/1.

MW-2, Dy. General Manager, during his evidence disclosed that the concerned workman who was an Organising Secretary of their union posted at B.P.M.M. branch for more than 10 years. After computerisation of B.P.M.M. branch the concerned Workman/Organising Secretary was transferred to Frazer Road branch for the interest of administration, as per clause 3 of clerical transfer policy (Ext. W-2/1). This averment, therefore, clearly speaks that they did not follow the guideline for transfer of office bearers as per circular marked as Ext. W-2 and W-2/1. Transfer policy of the office bearers of the union and general clerical staff as per clause 3 of Clerical Staff transfer policy should not be placed on the same footing. When there is specific guideline in the matter of transfer of the office bearers of any union it is expected that the said guideline

should be followed strictly. MW-2 during his evidence admitted that his intention was to retain the concerned workman at B.P.M.M. department but as the personnel department desired his transfer he had to issue his order of transfer at Frazer Road branch. Therefore, it is clear that as the personnel department desired the said order of transfer was issued against the concerned workman/Organising Secretary particularly when they have failed to establish that his transfer was absolutely needed for the exigency of the Bank services. No material evidence is forthcoming before this Tribunal to show that the concerned workman/organising Secretary of the union was declared as surplus staff and for which there was no other way but to issue that order of transfer. It is seen that when the management have failed to show that equal policy was followed in the matter of transfer of office bearers from one office to another office of the majority union and the minority union there is cogent reason to draw conclusion that such order of transfer of the concerned workman who was an organising secretary of his union was not only arbitrary but also violative of the principle of equality in the eye of law. It is not expected that as the concerned workman is an office bearer he should not be transferred for the interest of administration. From the observation made in Sastry Award and from the circulars issued by the management mentioned above it is clear that such order of transfer also can be issued in the name of the office bearers if the same is required for the exigencies of service. If the evidence of MW-2 is taken into consideration it will expose very clearly that the said order of transfer was issued under his signature as the personnel department desired so. The concerned workman neither was declared a surplus staff nor it has been established by the management that his transfer was very much needed for the interest of administration and also for the exigencies of service. I should say that repeated order of transfer in a particular place was nothing but to curb the union activities of the minority union where the concerned workman was posted. Accordingly after careful consideration of all the facts and circumstances I hold that as the order of transfer of the concerned workman who at the relevant time was an organising secretary of their union was not for exigency of the Bank's services the same is liable to be revoked. In the results, the following Award is rendered :—

"The action of the Management of State Bank of India, Patna in transferring from Local Head Office, Patna to Frazer Road, Patna to Sri P.S. Pal Organising Secretary of the Union (Assistant at Bank) in compliance of Bank's Circular personnel No. 72 of 1984 and as given in paragraph 535 of Sastry Award is not justified Accordingly, management is directed to post him at Local Head Office, Patna revoking his order of transfer within three months from the date of publication of the Award in the Gazette of India.

B. BISWAS, Presiding Officer

नई दिल्ली, 12 जून, 2006

का.आ. 2619.—औद्योगिक विवाद अधिनियम, 1947 (1947 का 14) की धारा 17 के अनुसरण में, केन्द्रीय सरकार नार्दन रेलवे के प्रबंधन के संबंध में नियोजकों और उनके कर्मचारों के बीच, अनुबंध में निर्दिष्ट औद्योगिक विवाद में केन्द्रीय सरकार औद्योगिक अधिकरण/श्रम न्यायालय, कानपुर के पंचाट (संदर्भ संख्या 187/99) को प्रकाशित करती है, जो केन्द्रीय सरकार को 12-6-2006 को प्राप्त हुआ था।

[सं. एल-41011/34/91-आई आर (बी-1)]

अजय कुमार, डैस्क अधिकारी

New Delhi, the 12th June, 2006

S.O. 2619.—In pursuance of Section 17 of the Industrial Disputes Act, 1947 (14 of 1947), the Central Government hereby publishes the award (Ref. No. 187/99) of the Central Government Industrial Tribunal/Labour Court, Kanpur now as shown in the Annexure in the Industrial Dispute between the employers in relation to the management of Northern Railway and their workman, which was received by the Central Government on 12-6-2006.

[No. L-41011/34/91-IR(B-I)]

AJAY KUMAR, Desk Officer

#### ANNEXURE

**BEFORE SRI SURESH CHANDRA PRESIDING  
OFFICER, CENTRAL GOVERNMENT INDUSTRIAL  
TRIBUNAL-CUM-LABOUR COURT, SARVODAYA  
NAGAR, KANPUR, U. P.**

**Industrial Dispute No. 187 of 1999**

Sri Dina Nath Tiwari,  
Uttar Railway Karamchari Union,  
2, Navin Market Parade, Kanpur.

AND

General Manager,  
Northern Railway,  
Baroda House, New Delhi.

#### AWARD

1. The exchequer history giving rise to the present case is that the Central Government, Ministry of Labour vide notification No. L-41011/34/91-IR (DU) dated 31-10-91 has referred the dispute for adjudication to Central Government Industrial Tribunal cum Labour Court, New Delhi. From the reference order dated 31-10-91 it is crystal clear that the copy of the reference order had been sent to the contesting parties through registered post at the addresses available on the reference order itself. Ministry of Labour vide order dated 10-5-99 transferred the case from CGIT-cum-LC, New Delhi, to CGIT-cum-LC, Kanpur, under the orders of Hon'ble High Court passed

on 17-1-97 passed in civil misc. writ petition No. 1930 of 1997, with the direction that CGIT cum LC, Kanpur, shall proceed with the proceedings from the stage at which they are transferred to it from CGIT-cum-LC, New Delhi and dispose of the case according to law.

2. On receipt of transfer order from the Ministry of Labour, New Delhi, by CGIT Kanpur, a letter dated 26-7-99, from the office of the Tribunal was written to the Ministry intimating them that it has been informed from CGIT cum Labour Court, New Delhi, that no such dispute is pending with them, and if there is any such order in that event a copy of the same may be send to this tribunal so that further action in the matter may be initiated as per law. The Ministry in response to the said letter endorsed a copy of reference order dated 31-10-91 vide their letter dated 9th August, 1999. Thereupon notices to the contesting parties were issued from the Tribunal. The reference is to the following effect:—

“Whether the action of the management of Northern Railway, Baroda House, New Delhi in awarding the punishment of compulsory retirement to Sri Kundan Singh, Tracer vide management's letter dated 13/14-6-84 is justified? If not to what relief he is entitled to?”

3. The union raising the dispute on behalf of the workman filed its statement of claim on 5-6-2000, inter alia, on the grounds that the concerned workman had been working in the office of General Manager, Northern Railway, Baroda House, New Delhi, as Tracer on permanent basis. The workman was served with a chargesheet dated 25-5-82 by means of which it has been alleged that the concerned workman remained on unauthorised absence on 29-11-78 and 18-12-78. The workman replied the chargesheet denying the allegations and it was also submitted by him that he was ailing and information to this effect has been sent to the concerned authorities of the department duly supported with medical certificate. Sri V.K. Duggal E.O. firstly recorded the statement of the workman on 14-10-82 and 6-3-83 and thereafter prosecution witnesses were allowed to record their evidence. It has been alleged that the inquiry is against the principles of natural justice. It is also pleaded that all the relevant documents relating to the ailment of the workman concerned were produced by workman before the enquiry officer but they were not considered and the enquiry officer merely completed formalities in the name of domestic inquiry. It has also been pleaded that the workman on similar grounds have also been served with a chargesheet dated 23-3-80 and on the basis of documents pertaining to his ailments the said chargesheet was quashed by the authorities concerned. The workman vide order dated 13/14-6-84 had been imposed a punishment of compulsory retirement from service. Thereafter workman concerned submitted representations repeatedly before the authorities of the railway department but the same remained unreplyed. It has been alleged that for the period of

unauthorised absence for which the workman had been charged, the workman had applied for financial assistance to meet out the expenses towards medical treatment from Staff Benefit Fund, and the same had been provided to the workman on the recommendations of the concerned authorities of the railways, and accordingly financial assistance to the tune of Rs. 3800 was provided to the workman from Staff Benefit Fund. It has further been clarified by the workman that financial assistance from staff benefit fund are being provided only to such employees of railway who remains ill continuously for a long period. It is further alleged that no show cause notice has been issued to the workman before passing of final order in this way the whole exercise in the name of disciplinary action against the workman is merely a formality in gross violation of rules of natural justice. Therefore, the entire action in the name of disciplinary action is liable to be quashed and the workman is entitled to be reinstated in service with back wages and all benefits attached to the post including seniority.

4. The copy of statement of claim was provided to the management representative on 5-6-2000 but unfortunately thereafter none appeared in the case from the side of the management nor management filed their reply in the case. Management also failed to adduce evidence in the case. The workman apart from adducing oral evidence has also filed documentary evidence in support of his case.

5. From the pleadings of the workman it is quite clear that he has not challenged the propriety and fairness of the domestic inquiry nor he had adduced any evidence in this regard. As there is no challenge on this score from the side of the workman there is hardly any need to examine the case from this point of view particularly where neither there is any pleading nor there is any evidence on this point from the side of the workman. Accordingly it is held that the domestic inquiry conducted by the management is in accordance with rules as on examination of the same nothing adverse is found in the conduct of the domestic inquiry, by the management against the concerned workman.

6. It is settled principle of law that when the domestic inquiry conducted by the management is found to be in consonance with law, the tribunal is left with no other option but to hold the punishment awarded to the workman as just and fair as in that event the tribunal has to do nothing and the same cannot interfere with the punishment awarded to the workman concerned.

7. From the above discussion, it is held that the action of the management is just and fair when it awarded the punishment of compulsory retirement on the workman vide their order dated 13/14-6-84. Accordingly the workman cannot be held entitled for any relief pursuant to the present reference.

SURESH CHANDRA, Presiding Officer

नई दिल्ली, 12 जून, 2006

का.आ. 2620.—औद्योगिक विवाद अधिनियम, 1947 (1947 का 14) की धारा 17 के अनुसरण में, केन्द्रीय सरकार नार्दन रेलवे के प्रबंधन के संबद्ध नियोजकों और उनके कर्मचारों के बीच, अनुबंध में निर्दिष्ट औद्योगिक विवाद में केन्द्रीय सरकार औद्योगिक अधिकरण/श्रम न्यायालय, कानपुर के पंचाट (संदर्भ संख्या 45/96) को प्रकाशित करती है, जो केन्द्रीय सरकार को 12-6-2006 को प्राप्त हुआ था।

[सं. एल- 41012/23/95-आई आर (बी-1)]

अजय कुमार, डेस्क अधिकारी

New Delhi, the 12th June, 2006

S.O. 2620.—In pursuance of Section 17 of the Industrial Disputes Act, 1947 (14 of 1947), the Central Government hereby publishes the award (Ref. No. 45/96) of the Central Government Industrial Tribunal/Labour Court, Kanpur now as shown in the Annexure in the Industrial Dispute between the employers in relation to the management of Northern Railway and their workman, which was received by the Central Government on 12-6-2006.

[No. L-41012/23/95-IR(B-I)]

AJAY KUMAR, Desk Officer

#### ANNEXURE

**BEFORE SRI SURESH CHANDRA, PRESIDING OFFICER, CENTRAL GOVERNMENT INDUSTRIAL TRIBUNAL-CUM-LABOUR COURT, SARVODAYA NAGAR, KANPUR, U. P.**

**Industrial Dispute No. 45 of 1996**

In the matter of dispute between :

Zonal Working President,  
Uttar Railway Karamchhari Union,  
96/196, Roshan Bajaj Lane,  
Ganesh Ganj, Lucknow.

AND

The Divisional Railway Manager,  
Northern Railway,  
Allahabad.

#### AWARD

1. Central Government, Ministry of Labour, New Delhi, vide notification No. L-41012/23/95-IR (B-I) dated 29-3-96, has referred the following dispute for adjudication to this Tribunal:—

“Whether the management of Northern Railway is just in refusing regularization of employment of Shri Shiv Sagar son of Sri Bhagwan Das as a regular fitter in the open line at present employed as adhoc fitter under C.T.F.O. (Construction) of the management? If not, to what relief the worker concerned is entitled?”

2. The case in short of the workman as set up by the union raising the present dispute is that the workman was appointed on 21-11-80 at the post of Electric Khalasi by the opposite party and that w.e.f. 1-1-84 the workman was given status of temporary employee and was also given the scale of pay Rs. 196-232. It has been alleged by the workman that the opposite party started taking from the workman the work of Electric Fitter grade 260-400 and the workman was being paid wages in the said grade. It has also been alleged that vide letter No. TRD/C/CNB/E-32/Yard-III (2777) dated 30-12-86 the opposite party promoted the workman but the workman has been deprived seniority/not taking into account the continuous service as fitter w.e.f. 15-9-84 nor the pay of the workman was fixed in the said grade. It has been alleged that the work and conduct of the workman ever remained satisfactory and the post of electric fitter remained permanently vacant against which post the workman is working till date. It has also been alleged that under these circumstances non-regularization of the workman against the post of electric fitter grade w.e.f. 15-9-94 is neither legal nor proper and is thus an example of unfair labour practice. In the end on the basis of above pleadings, it has been prayed by the union that workman may be declared regularized on the post of electric fitter w.e.f. 15-9-84 and accordingly his pay be fixed taking into account the seniority of the workman in grade 260-400.

3. The opposite party has filed reply against the statement of claim filed by the union on behalf of the workman wherein the opposite party has vehemently denied the claim of the workman on the ground that he never worked as electric fitter w.e.f. 15-9-84. He has never worked against any regular post and that the workman has been paid correctly. The post against which the workman has raised his claim was never advertised nor the workman was ever interviewed for the post as such question of automatic promotion on the post claimed by the workman does not arise at all. Hence the claim of the workman is unfounded baseless and is liable to be rejected.

4. Workman has filed rejoinder in the case but nothing new has been mentioned therein.

5. The tribunal after appraisal of oral and documentary evidence led by the parties recorded its award dated 3-10-97 against the workman holding that the workman is not entitled to be regularized on the post of electric fitter w.e.f. 16-9-84 as claimed by him.

6. The workman being aggrieved by the aforesaid award dt. 3-10-97 of the tribunal, preferred a civil misc. writ petition No. 41391 of 1997 before the Hon'ble High Court of Judicature at Allahabad challenging the correctness and propriety of award dated 3-10-97 passed by this tribunal in the case. The Hon'ble High Court, vide its judgment and order dated 7-7-2003 was pleased to quash the award dated 3-10-97 passed by this tribunal and remanded the case to this tribunal for decision a fresh taking into account the services rendered by the workman and also for regularisation of the services of the workman concerned.

7. After receipt of the certified copy of the judgment dated 7-7-03 of the Hon'ble High Court in the instant case notices were issued to the parties for hearing of the case. The instant case was identified to be decided through the Lok ADALAT and the case was discussed between the parties in presence of the Presiding Officer, on various sitting in the pretrial meetings held in the Tribunal on various occasions but when no amicable settlement arrived at between the parties the case was ordered to be heard on merit on the request of the contesting parties. It is pertinent to mention here that there is no evidence in the case from the side of the management whereas workman has lead his oral evidence in support of his case.

8. The counsel for the petitioner before the Hon'ble High Court, in the aforesaid writ petition has advanced an argument in support of the claim that other similarly employees have been regularised but the workman's concerned services have been terminated. If it is the case of the workman in that situation the workman cannot be granted relief of any nature as claimed by him as it is a normal rule in service jurisprudence that for claiming regularization against any post continuity of service on temporary or adhoc basis is essential on the post against which regularization is being claimed by an employee. In view of observations recorded by the Hon'ble High Court in its judgment dated 7-7-03 in CMWP No. 41391 of 1997, it is abundantly clear that the workman is not working on the post of electric Khalasi, hence question of granting regularization on the post of electric khalasi to the workman is not possible.

9. Even otherwise the relief as claimed by the workman in the instant case cannot be granted to him in the facts and circumstances of the case. The workman has orally examined himself in support of his case, but has not filed any such document which may prove his claim that the workman is working as electric khalasi on temporary or adhoc basis w.e.f. 15-9-84. Mere oral evidence is not sufficient to believe the case set up by the workman unless the same is corroborated by documentary evidence. From the judgment of the Hon'ble High Court of Allahabad dated 7-7-03 (Supra) it is also quite obvious that the workman is not working as electric khalasi and that his services as electric khalasi have been terminated by the opposite party. Therefore, when the workman is not working as electric khalais, as is the case set up by the counsel of the workman before the Hon'ble High Court how workman can be granted the relief of regularisation of his services at the post of electric Khalasi w.e.f. 15-9-94.

10. In view of above discussion, it is held that action of the management of Northern Railway in refusing regularization of employment of Sri Shiv Sagar son of Sri Bhagwan Dass as regular fitter cannot be held to be illegal or unjust. The result is that the workman cannot be granted any relief.

11. Reference is answered accordingly.

SURESH CHANDRA, Presiding Officer

नई दिल्ली, 12 जून, 2006

का.अ. 2621.—औद्योगिक विवाद अधिनियम, 1947 (1947 का 14) की धारा 17 के अनुसरण में, केन्द्रीय सरकार नार्दन रेलवे के प्रबंधन के संबद्ध नियोजकों और उनके कर्मचारों के बीच, अनुबंध में निर्दिष्ट औद्योगिक विवाद में केन्द्रीय सरकार औद्योगिक अधिकरण/श्रम न्यायालय, कानपुर के पंचाट (संदर्भ संख्या 217/97) को प्रकाशित करती है, जो केन्द्रीय सरकार को 12-6-2006 को प्राप्त हुआ था।

[सं. एल- 41012/3/97-आई आर (बी-1)]

अजय कुमार, डेस्क अधिकारी

New Delhi, the 12th June, 2006

S.O. 2621.—In pursuance of Section 17 of the Industrial Disputes Act, 1947 (14 of 1947), the Central Government hereby publishes the award (Ref. No. 217/97) of the Central Government Industrial Tribunal/Labour Court, Kanpur as shown in the Annexure in the Industrial Dispute between the employers in relation to the management of Northern Railway and their workman, which was received by the Central Government on 12-6-2006.

[No. L-41012/3/97-IR(B-1)]

AJAY KUKAR, Desk Officer

**ANNEXURE**

**BEFORE SRI SURESH CHANDRA PRESIDING  
OFFICER CENTRAL GOVERNMENT INDUSTRIAL  
TRIBUNAL CUM LABOUR COURT, SARVODAYA  
NAGAR, KANPUR, U. P.**

**Industrial Dispute No. 217 of 97**

In the matter of dispute between :

Sri Ramesh Chandra  
son of Sri Mahadeo Prasad  
Vill. Raghunathpur, Post Narar  
District Kanpur Nagar.

**AND**

Divisional Railway Manager  
Northern Railway Allahabad Division  
Allahabad.

**AWARD**

1. Central Government, Ministry of Labour, New Delhi, vide its notification no. L-14012/3/97-I.R. (B) dated 7/8-10-97 has referred the following dispute for adjudication to this tribunal:—

"KYA MANDAL RAIL PARABANDHAK UTTAR RAILWAY ALLAHABAD DWARA SRI RAMESH CHANDRA SON OF MAHADEO PRASAD KO 14-8-91 SE NAUKARI SE HATANA TATPASHTAT USE AUDYOGIK VIVAD ADHINIYAMKIDHARA G-25-HKE ANUSAR JAB NAI NIYUKTIYA HUI US SAMAY UPROKTA KARMAKAR KO NIYUKTI KE LIYE AWASAR NA DENA UCHIT AUR VAIDHANIK HAI?

**YADI NAHI TO SAMBANDHIT KARMAKAR KIS ANUTOSH KA HAQDAR HAI?**

2. The claim in short on behalf of the workman is that he was appointed at the post of waterman on 3-7-78 under station master Bhaupur Rly Station and he worked continuously upto 14-8-91. It is alleged that on account of his rendering continuous service for over 120 days the workman was given status of temporary railway employee and he was also paid his wages in the scale of pay Rs. 750-940 and that the opposite party has also paid him arrears of wages between paid and payable wages treating the workman to be an employee having temporary status. It has also been alleged that the workman had been paid arrears of wages during the course of conciliation proceedings. It has also been alleged by the workman that the workman had repeated representations before the railway authorities when he had not been marked properly in the attendance register and that when he had been deprived of from his regular pay and allowances of the post of waterman. On account of annoyance, the opposite party terminated the services of the workman and that juniors to the workman have been retained in the services when the services of the workman were terminated by the opposite party. Various persons have been named as junior to the workman and it has been claimed that they have been retained at various railway stations as waterman. Workman has further alleged that opposite party has violated the provisions of section 25F of I.D. Act. Workman has also alleged that various juniors/fresh hands were inducted in the services of the opposite party ignoring the claim of the workman. In the end it has been prayed that the action of the management be declared to be null and void entitling the workman to be reinstated in the services with full back wages.

3. As no written statement was filed in the case, this tribunal passed an exparte award dated 2-4-98 against the opposite party granting relief to the workman for his reinstatement. The said exparte award was published by the government on 16-5-98.

4. After receipt of notification of publication, the railway administration moved an application supported with an affidavit for recall of exparte award dated 2-4-98 and for permission to the opposite party to file written reply in support of his case. After inviting objection against the application for recall of exparte award, the said application was finally disposed off by this tribunal vide order dated 8-2-02.

5. Opposite party in the present case has filed its reply inter alia denying the claim of the workman. It is denied by the opposite party that no screening test has been held by the opposite party for workers working as waterman. It has also been denied that no regular appointment has ever been made by the opposite party on the post of waterman. It has been alleged by the opposite party that when ever screening process will start for empanelment in order of seniority the workman may be given preference. The claim of the workman is liable to be rejected.

6. Workman apart from adducing documentary evidence has also examined himself as W.W.1 in support of his claim.

7. It is the own case of the workman that he was engaged as waterman for summer season at Bhaupur railway station in the year 1978 and continuously worked as such till 1991. It has come in oral evidence of the workman that the workman was engaged for a period of four months only during the summer season of each calendar year and that he was paid wages in the scale of pay Rs. 750-940. Workman has further stated on oath that juniors were retained in service whereas his services have been dispensed with. He has also named certain person who according to him have been regularised in the service of the opposite party barring his legal claim.

8. I have gone through the documents filed by the workman in support of his case and it is found that the workman has not been able to establish that he was working with the management during the year 1991 or on the date of alleged termination or that he was ever paid treating him to be temporary employee. Workman has also not been able to prove his case through documentary evidence that the services of the workman has been dispensed with by the opposite party in any manner what so ever. Workman has filed certain photocopy of documents purported to have been the applications sent by the workman to the management or some of the documents are the photocopies of some letters of department though not visible. It is settled principle of law that photocopies of the documents filed by way of evidence are not admissible unless proved by original documents. Workman has not tried to summon the originals of the documents which were in possession of the opposite party. There is no such document on record which may prove the working of the workman with the opposite party as claimed by him. Oral testimony of the workman is not sufficient to prove the claim of the workman in the absence of documentary evidence to the effect that in the year 1991 the workman was working with the opposite party as waterman and that leaving juniors to the workman, his services have been terminated by the management and that the workman was not afforded any opportunity of reemployment while inducting juniors to the workman into permanent services of the opposite party. Heavy burden lies on the workman to prove that he was actually in the employment on the date of alleged termination but the workman having failed to discharge his obligation to establish that he was in the employment of the opposite party on the date of alleged termination, the action of the management cannot be held to be illegal or unjust.

9. In view of above discussions, it is held that the workman has palpably failed to prove his case that he was in the employment of the opposite party on the date of alleged termination, hence the action of the management cannot be held to be illegal and unjustified. Result is that the workman is held not entitled to any relief as claimed by him. Reference is answered accordingly.

SURESH CHANDERA, Presiding Officer

नई दिल्ली, 12 जून, 2006

का.आ. 2622.—औद्योगिक विवाद अधिनियम, 1947 (1947 का 14) की धारा 17 के अनुसरण में, केन्द्रीय सरकार भा.को.को. लि. के प्रबंधन के संबद्ध नियोजकों और उनके कर्मचारों के बीच, अनुबंध में निर्दिष्ट औद्योगिक विवाद में केन्द्रीय सरकार औद्योगिक अधिकरण/श्रम न्यायालय, धनबाद-II के पंचाट (संदर्भ संख्या 113/99) को प्रकाशित करती है, जो केन्द्रीय सरकार को 8-6-2006 को प्राप्त हुआ था।

[सं. एल-20012/218/98-आई आर (सी-1)]

एस.एस.गुप्ता, अवर सचिव

New Delhi, the 12th June, 2006

S.O. 2622.—In pursuance of Section 17 of the Industrial Disputes Act, 1947 (14 of 1947), the Central Government hereby publishes the award (Ref. No. 113/99) of the Central Government Industrial Tribunal/Labour Court, Dhanbad-II now as shown in the Annexure in the Industrial Dispute between the employers in relation to the management of BCCL and their workman, which was received by the Central Government on 8-6-2006.

[No. L-20012/218/98-IR(C-I)]

S.S. GUPTA, Under Secy.

#### ANNEXURE

#### BEFORE THE CENTRAL GOVERNMENT INDUSTRIAL TRIBUNAL (NO.2), AT DHANBAD

PRESENT : SHRI B. BISWAS, Presiding Officer

In the matter of an Industrial Dispute under Section  
10(1)(d) of the I.D. Act., 1947

#### REFERENCE NO. 113 OF 1999

PARTIES : Employers in relation to the management of  
C.V. Area of M/s BCCL and their workmen.

#### APPEARANCES:

On behalf of the workman : Mr. S.N. Sinha, Ld.  
Advocate

On behalf of the employer : Mr. B.M. Prasad, Ld.  
Advocate

State : Jharkhand Industry : Coal

Dated, Dhanbad, the 18th May, 2006.

#### AWARD

The Government of India, Ministry of Labour, in exercise of the powers conferred on them under Section 10(1)(d) of the I.D. Act, 1947 has referred the following dispute to this Tribunal for adjudication *vide* their Order No.L-20012/218/98-IR(C-I) dated, the 29th January, 1999.

#### SCHEDULE

“Whether the action of the management of C.V. Area of M/s. BCCL in not regularising Sri Rabindra Mahto, U/F Loader of Basantimata Colliery, as Munshi/Clerk as per job performed by him since 1993 is justified. If not, what relief the workman entitled to?”

2. The case of the concerned workman according to written statement submitted by the sponsoring union on his behalf in brief is as follows:

The sponsoring union submitted that the concerned workman was initially appointed as U/G Loader at Basantimata Colliery. Thereafter as per order of the management since 1992 he started working as Munshi. Besides he was asked to work as attendance clerk on leave and sick vacancy. They disclosed that the concerned workman is a Matriculate and appeared in the written test for the post of Munshi on 8-11-1993 and stood first in the said examination. They alleged that management though regularised the junior workers in the posts of Munshi did not regularise the concerned workman inspite of his rendering continuous four years of services as Munshi. They submitted that during this period he put attendance for more than 240 days in a year as Munshi.

The sponsoring union alleged that as the management refused to regularise the concerned workman as Munshi he raised an Industrial Dispute before ALC(C) for conciliation which ultimately resulted reference to this Tribunal for adjudication. They accordingly submitted prayer to pass award directing the management to regularise the concerned workman as Munshi in clerk grade II.

3. Management on the contrary after filing written statement cum rejoinder have denied all the claims and allegations which the sponsoring union asserted in the written statement submitted on behalf of the concerned workman.

They submitted that according to the provision of Cadre Scheme read with circulars of the management a workman belonging to time rated category or piece rated group can not claim for his regularisation in a clerical post by virtue of any authorisation given to him by any officer of the local management permitting him to work in any clerical job.

They submitted that management issued a circular directing all the Area Managers not divert any piece rated or time rated worker in clerical job. Accordingly, claim for regularisation of any such worker by virtue of any authorisation obtained from local management for working in any clerical job can not be entertained.

They disclosed that the concerned workman is U/G Loader of Basantimata Colliery and has been working as pump operator and not as Munshi on regular basis and *vide* Letter dtd. 5-4-1996 he was regularised in the said post. They submitted that since the concerned workman has been working as pump operator and has been regularised as such there is no merit in the demand of the union for his regularisation as Munshi and for which such prayer is liable to be rejected.

#### 4. POINTS TO BE DECIDED.

"Whether the action of the Management of C.V. Area of M/s. BCCL in not regularising Sri Rabindra Mahto, U/F Loader of Basantimata Colliery as Munshi/Clerk as per job performed by him since 1993 is justified. If not, what relief the workman entitled to?"

#### 5. FINDING WITH REASONS

It transpires from the record that the sponsoring union in order to substantiate their claim they examined the concerned workman as W.W.1 in part subsequently inspite of given sufficient opportunity they failed to produce him for his further examination and cross examination and for which *vide* Order No. 19 dtd. 13-3-2006 that part evidence of the concerned workman was expunged.

On the contrary management examined one witness as M.W. 1 with a view to substantiate their claim.

It has been admitted by the sponsoring union that the concerned workman initially was appointed as U/G Loader at Basantimata Colliery. Subsequently in the year 1996 he was regularised as Pump Operator in Cat. III and since then he is discharging his duties in that capacity M. W. 1 during his evidence disclosed that the post of Munshi comes under clerical Gr. III. It is absolutely a different grade and for which the grade of Pump Operator can not be equated with clerical grade.

This witness further disclosed that Pit Munshi is recruited from departmental candidates through interview. He submitted that to fill up the post of Pit Munshi since 1996 management did not call any interview of the departmental candidates.

The claim of the sponsoring union is that the concerned workman being authorised by the management is discharging his duties as Munshi since 1993. Accordingly burden rests on the sponsoring union to establish such fact. During hearing the sponsoring union has failed to produce any evidence in support of such claim. On the contrary management admitting the fact that concerned workman was initially appointed as U/G Loader disclosed that in the year 1996 he was regularised as Pump Operator Grade III and since that period he is discharging his duties in the said capacity. This fact has not been denied by the management. Therefore, there is scope to say that the concerned workman initially though was U/G Loader regularised as Pump Operator in Grade III. No evidence on the part of the sponsoring union is forthcoming refuting such claim of the management. Accordingly question which crops up is when a workman accepted his regularisation as Pump Operator Gr. III since 1996 how he can place his claim for regularisation as Munshi, in clerical Gr. III.

It transpires that inspite of giving sufficient opportunity the sponsoring union has failed to substantiate the claim of the concerned workman by adducing cogent evidence. Accordingly based on the facts disclosed in the written statement without its corroboration by cogent evidence there is no scope at all to uphold such contention. There is no dispute at all that the sponsoring union has lamentably failed to substantiate the claim of the concerned workman and for which he is not entitled to get any relief.

In the result the following award is rendered:

"That the action of the management of C.V. Area of BCCL in not regularising Sri Rabindra Mahato U/G

Loader of Basantmata Colliery as Munshi/ Clerk as per job performed by him since 1993 is justified.

Consequently the concerned workman is not entitled to get any relief."

B. BISWAS, Presiding Officer

नई दिल्ली, 12 जून, 2006

का.आ. 2623.—औद्योगिक विवाद अधिनियम, 1947 (1947 का 14) की धारा 17 के अनुसरण में, केन्द्रीय सरकार भा.को.को. लि. के प्रबंधन के संबद्ध नियोजकों और उनके कर्मचारों के बीच, अनुबंध में निर्दिष्ट औद्योगिक विवाद में केन्द्रीय सरकार औद्योगिक अधिकरण/श्रम न्यायालय, धनबाद -II के पंचाट (संदर्भ संख्या 129/2003) को प्रकाशित करती है, जो केन्द्रीय सरकार को 8-6-2006 को प्राप्त हुआ था।

[सं. एल-20012/152/2003-आई आर (सी-1)]

एस. एस. गुप्ता, अवर सचिव

New Delhi, the 12th June, 2006

S.O. 2623.—In pursuance of Section 17 of the Industrial Disputes Act, 1947 (14 of 1947), the Central Government hereby publishes the award (Ref. No. 129/2003) of the Central Government Industrial Tribunal / Labour Court, Dhanbad-II now as shown in the Annexure in the Industrial Dispute between the employers in relation to the management of BCCL and their workman, which was received by the Central Government on 8-6-2006.

[No. L-20012/152/2003-IR(C-I)]

S.S. GUPTA, Under Secy.

#### ANNEXURE

#### BEFORE THE CENTRAL GOVERNMENT INDUSTRIAL TRIBUNAL (NO. 2), AT DHANBAD.

PRESENT : SHRI B. BISWAS, Presiding Officer.

In the matter of an Industrial Dispute under Section 10(1) (d) of the I.D. Act., 1947

#### REFERENCE NO. 129 OF 2003

PARTIES : Employers in relation to the management of Amlabad Project of M/s. BCCL and their workmen.

#### APPEARANCES:

On behalf of the workman : Mr. S.C. Gaur, Advocate

On behalf of the employer : Mr. U. N. Lal, Advocate

State : Jharkhand Industry : Coal

Dated, Dhanbad, the 24th May, 2006.

#### AWARD

The Govt. of India, Ministry of Labour, in exercise of the powers conferred on them under Section 10(1)(d) of

the I.D. Act., 1947 has referred the following dispute to this Tribunal for adjudication *vide* their Order No. L-20012/152/2003-IR(C-I) dated, the 10th November, 2003.

#### SCHEDULE

"Whether the action of the management of BCCL Amlabad Project in dismissing Shri Gurmej Singh from Service w.e.f. 30-3-2002 is justified, If not, to what relief the workman entitled?"

2. Case of the concerned workman according to written statement submitted by the sponsoring union on his behalf in brief is as follows:

The sponsoring union submitted that the concerned workman receiving the information of serious illness of his wife rushed to his native village at Punjab to see her. At that time he also fell ill and for which he had no scope to move for about 2 months. Accordingly he sent intimation to the management of Amlabad Colliery about his illness and thereafter returned back to his place of work on 3-1-2002 with a view of resume his duty with fitness certificate issued by the Doctor of his village. He alleged that management instead of allowing him to join his duty on 3-1-2002 issued a chargesheet to him on 9/10-1-2002 for his absence from duty with effect from 7-11-2001. After receipt of the chargesheet the concerned workman submitted his reply but as the reply given by him was not accepted by the Disciplinary Authority they decided to hold domestic enquiry against him and accordingly appointed Enquiry Officer in that regard. The sponsoring union alleged that the management of Amlabad Colliery had no authority to dismiss the concerned workman from his service without specific approval of the G.M. In spite of knowing this fact the project officer, Amlabad Project dismissed him from his service *vide* Order dtd. 25/30-3-2002 illegally arbitrarily and violating the principle of natural justice. Accordingly he raised industrial dispute for conciliation which ultimately resulted reference to this Tribunal for adjudication. The sponsoring union accordingly submitted prayer to pass Award directing the management to reinstate the concerned workman to his service with full back wages along with other consequential benefits.

3. Management on the contrary after filing Written Statement-cum-rejoinder have denied all the claims and allegations which the sponsoring union asserted in the Written Statement submitted on behalf of the concerned workman.

They submitted that the concerned workman was a Miner/Loader posted under Amlabad Project in the year 1999. But he was put to work as Badli Miner/Loader by way of punishment. Thereafter the Disciplinary Authority issued a chargesheet *vide* No. BCCL/AMBD/2002/PS/1080 dt. 9/10-1-2002 for committing misconduct on the ground of absenteeism under clause 26-1-2001 of the Certified Standing Order w.e.f. 7-11-2001. After receipt of the said chargesheet the concerned workman submitted his reply on 12-1-2002 but as the reply given by him was not

satisfactory the Disciplinary Authority decided to hold domestic enquiry against them and accordingly appointed Enquiry Officer in that regard. They submitted that the enquiry was held on 28-1-2002 and the concerned workman fully participated at the time of the hearing of the enquiry proceeding. Full opportunity was also given to him to defend his case. After completion of enquiry the E.O. submitted his report on 4-2-2002 to the Disciplinary Authority holding the concerned workman guilty to the charges brought against him. Against second show cause notice the concerned workman also submitted his reply on 4-3-2002 which also was not found satisfactory. They submitted that past attendance of the concerned workman for the last three years was very bleak on the ground that during 1999, 2000 and 2001 he put his attendance only 31 days, 86 days and 90 days respectively. Accordingly the Disciplinary Authority dismissed the concerned workman from his service *vide* letter No. 2835-44 dated 26/30-3-2002. They submitted that the concerned workman was in the habit of remaining himself absent from duty unauthorized and as of his choice and inspite of giving opportunity he did not consider necessary to improve his habit. They submitted that the Disciplinary Authority neither committed any illegality nor took any arbitrary decision in dismissing the concerned workman from his service. Accordingly they submitted prayer to reject the claim of the concerned workman.

#### 4. POINTS TO BE DECIDED.

“Whether the action of the management of BCCL Amlabad Project in dismissing Shri Gurnej Singh from service w.e.f. 30-3-2002 is justified, If not to what relief is the workman entitled?”

#### 5. FINDING WITH REASONS.

It transpires from the record that before taking up hearing of this case on merit it was taken into consideration if domestic enquiry held against the concerned workman was fair, proper and in accordance with the principle of natural justice. The said issue on preliminary point was disposed of *vide* Order No. 11 dtd. 15-12-2005 in favour of the management. Now the point for consideration is if the management have been able to substantiate the charge brought against the concerned workman and if so whether there is any scope to review that order of punishment imposed upon the concerned workman in view of provision laid down under Section 11A of the I.D. Act., 1947. Considering the materials on record there is no dispute to hold that the concerned workman was a Miner/Loader at Amlabad Project. It is admitted fact that he said workman was dismissed from his service w.e.f. 30-3-2003 for committing misconduct on the allegation of absentism, in view of chargesheet dtd. 9-1-2002 issued to him. The chargesheet issued to the concerned workman in course of hearing was marked as Ext. M-1. According to the chargesheet it transpires that the concerned workman started remaining absent from duty w.e.f. 7-11-2001 without giving any information or taking prior permission from the management. In his reply he submitted that owing to his illness from 7-11-2001 till 9-1-2002 he could not attend to

his duty. Therefore, according to his reply he did not get scope to attend his duty on the ground of his illness. The concerned workman in his reply to the chargesheet categorically denied the fact about his remaining himself absent from duty without giving any information to the management. According to his reply it transpires that he gave due intimation to the management when he fell ill and secondly that he was on sick leave with effect from 7-11-2001 till 8-1-2002 and that sick leave was duly recommended by the doctor of Amlabad dispensary. Therefore, burden of proof rests on the concerned workman to establish that he gave due intimation to the management when he fell ill and secondly that his sick leave from 7-11-2001 to 8-1-2002 was duly recommended by the doctor of Amlabad dispensary. It is seen that inspite of getting ample opportunity the concerned workman did not consider necessary to submit relevant papers to show that he gave due intimation to the management when he fell ill and secondly that his sick leave for the period mentioned above was duly recommended by the Medical Officer of Amlabad dispensary. Therefore, the plea taken by the concerned workman about his ailment finds no basis at all, and for which there is no scope to accept such plea. Accordingly I hold that the management was absolutely justified in issuing chargesheet against the concerned workman. In course of hearing management also have been able to substantiate the charge brought against the concerned workman. Therefore, the charge which was brought against the concerned workman has well been established against him.

It is seen that the E.O. after completing domestic enquiry submitted his report holding the concerned workman guilty to the charge brought against him. The enquiry report during hearing was marked as Ext. M-5. The Disciplinary Authority before taking any step against the concerned workman issued a second show cause notice to him. The concerned workman submitted his reply to the second show cause notice issued to him which during hearing was marked as Ext. M-7. From the second show cause notice it transpires that owing to his illness he did not get scope to attend his duty. It is seen that facts disclosed in the reply to the chargesheet given by the concerned workman and the facts disclosed in the reply to his second show cause notice does not have any conformity with each other excepting the fact that he took the plea of his lying illness during the period in question. It is seen that the concerned workman remained absent from duty w.e.f. 7-11-2001 to 8-1-2002 i.e. for a period of about 2 months. It is not expected that a person who was lying ill continuously for two months remained without any treatment. Therefore, burden absolutely rests on him to establish that he was actually lying ill and for which he did not get scope to attend his duty. In support of his claim he has failed to produce a single medical paper and accordingly the plea taken by him finds no support at all. Accordingly there is no other way but to arrive into this conclusion that his absence from duty taking the plea of illness was not correct. Accordingly management on their point of view dismissed the concerned workman from his service.

Now the question is whether said order of dismissal of the concerned workman was justified and proportionate to the misconduct committed by him. Section 11A of the I. D. Act, 1947 speaks as follows:—

“Whether an industrial dispute relating to the discharge or dismissal of a workman has been referred to a Labour Court, Tribunal or National Tribunal for adjudication and in the course of the adjudication proceedings, the Labour Court, Tribunal or National Tribunal, as the case may be, is satisfied that the order of discharge or dismissal and direct reinstatement of the workman on such terms and conditions, if any, as it thinks fit, or give such other relief to the workman including the award of any lesser punishment in lieu of discharge or dismissal as the circumstances of the case may require.”

Therefore, according to this provision it has to be looked into whether there is any scope to review the said order of dismissal issued by the Disciplinary Authority against the concerned workman. It transpires that the concerned workman was dismissed from service for his remaining absent from duty unauthorisedly from 7-11-2001 to 8-1-2002 i.e. for his period of absence for 2 months. It is the contention of the management that the concerned workman during the years 1999, 2000 and 2001 put his attendance for 31 days, 86 days and 90 days respectively but remained silent actually which step they took against him for his such poor attendance for consecutive three years. Until and unless this fact is proved that he remained on unauthorised absence during the period mentioned above there is no scope to arrive into conclusion that he committed any misconduct as per provision laid down under clause 26.1.1 of the Certified Standing Order. The copy of chargesheet which in course of hearing was marked as Ext. M-1 also is silent on this issue. The E.O. after completing enquiry submitted his report to the Disciplinary Authority which during hearing was marked as Ext. M-5. The enquiry report also is silent about previous conduct of the concerned workman relating to his attendance to duty. It should be born in mind that facts disclosed in the pleading cannot be treated as substantive piece of evidence until and unless the same is substantiated by cogent evidence. The allegation which the management has brought in para-12 of the Written Statement remained uncorroborated by any cogent evidence and for which in the eye of law it has no value and accordingly based on the facts disclosed in para-12 of the Written Statement submitted by the management there is no scope to arrive into conclusion that the concerned workman was habitual absentee.

According to chargesheet issued to the concerned workman “You are asked to explain in writing within 48 hours/7 days on receipt of the chargesheet as to why disciplinary action would not be taken against you.” Accordingly it is not clear whether management allowed the concerned workman to submit his reply to the chargesheet within 48 hours or 7 days on receipt of the chargesheet. Accordingly here conduct of the parties are

to be taken into consideration to draw conclusion actually what was the intention of the management in the matter of reply to be given by the concerned workman. It is seen that the chargesheet was signed dt. 9-1-2002/10-1-2002. The concerned workman submitted his reply to the chargesheet on 12-1-2002 i.e. within 48 hours of its receipt. Therefore direction of the management on the concerned workman was to submit reply to the chargesheet within 48 hours. Had that not been so the concerned workman would definitely take sufficient time to submit his reply to the chargesheet. According to clause 27(1) 48 hours time is given to a workman to submit reply to the chargesheet if the intention of the management is to impose minor penalty for committing misconduct. On the contrary clause 27.2 relates major penalty and in that case opportunity is given to the workman to submit reply to the chargesheet within 7 days. Therefore, if the intention of the management is taken into consideration it will speak very clearly that on their part there was no intention to impose major penalty in case if the charge is proved against the concerned workman. Instead, of the management dismissed the concerned workman from his service. I have discussed above that management have lamentably failed to establish the previous conduct of the concerned workman. Accordingly the misconduct which was committed by the concerned workman is to be considered as his first misconduct. It is seen that management dismissed the concerned workman from his service for his remaining himself absent from duty for a period of 2 months. If gravity of misconduct which the concerned workman committed is taken into consideration in relation to the punishment imposed upon him in that case it will expose very clearly that management did not maintain any conformity in imposing punishment in relation to the misconduct committed by the concerned workman. The punishment which they imposed was neither justified nor proportionate to the misconduct committed by him. There is no dispute to hold that management violating the principle of equity and justice dismissed the concerned workman from his service for his remaining absent from duty only for a period of 2 months only. I, therefore, hold that as the punishment i.e. order of dismissal was not in conformity with the misconduct committed by him as the same shall be liable to be set aside on the ground that an opportunity should be given to him for rectification of his conduct in future.

Accordingly the following Award is rendered :—

“The action of the management of BCCL, Amlabadi Project in dismissing Shri Gurmej Singh from service w.e.f. 30-3-2002 is not justified. Consequently, the concerned workman is entitled to be reinstated in his original job w.e.f. date of his dismissal without any back wages.”

The management of BCCL is directed to implement the Award within three months from the date of its publication in the Gazette of India in the light of the observation made above.

B. BISWAS, Presiding Officer

नई दिल्ली, 12 जून, 2006

का.आ. 2624.—औद्योगिक विवाद अधिनियम, 1947 (1947 का 14) की धारा 17 के अनुसरण में, केन्द्रीय सरकार मा. को. को. लि. के प्रबंधन के संबंध नियोजकों और उनके कर्मचारों के बीच, अनुबंध में निर्दिष्ट औद्योगिक विवाद में केन्द्रीय सरकार औद्योगिक अधिकरण/श्रम न्यायालय, धनबाद II के पंचाट (संदर्भ संख्या 68/91) को प्रकाशित करती है, जो केन्द्रीय सरकार को 8-6-2006 को प्राप्त हुआ था।

[सं. एल-20012/297/90-आई आर (सी-1)]

एस. एस. गुप्ता, अवर सचिव

New Delhi, the 12th June, 2006

S.O. 2624.—In pursuance of Section 17 of the Industrial Disputes Act, 1947 (14 of 1947), the Central Government hereby publishes the award (Ref. No. 68/91) of the Central Government Industrial Tribunal/Labour Court, Dhanbad II now as shown in the Annexure in the Industrial Dispute between the employers in relation to the management of BCCL and their workman, which was received by the Central Government on 8-6-2006.

[No. L-20012/297/90-IR(C-1)]

S. S. GUPTA, Under Secy.

**ANNEXURE****BEFORE THE CENTRAL GOVERNMENT INDUSTRIAL TRIBUNAL (NO. 2) AT DHANBAD****PRESENT:****Shri B. BISWAS, Presiding Officer**

In the matter of an Industrial Dispute under Section 10(1) (d) of the I.D. Act, 1947

**REFERENCE NO. 68 OF 1971**

**PARTIES:** Employees in relation to the management of Kooridih Colliery of M/s. BCCL and their workman.

**APPEARANCES:**

On behalf of the workman : None

On behalf of the employers : Mr. B.M. Prasad, Advocate.

State Jharkhand Industry : Coal

Dated, Dhanbad, the 16th May, 2006

**AWARD**

The Govt. of India, Ministry of Labour, in exercise of the powers conferred on them under Section 10 (1) (d) of the I.D. Act, 1947 has referred the following dispute to this Tribunal for adjudication vide their Order No. L-20012/297/90-IR (Coal-I), dated, the 21st March, 1991.

**SCHEDULE**

"Whether the action of the management of Kooridih Colliery in Govindpur Area No. III of M/s. BCCL in dismissing the workman Shri Bouri Sahu w.e.f. 1-11-89 is justified? If not, to what relief the said workman is entitled?"

2 The case of the concerned workman according to Written Statement submitted by the sponsoring union on his behalf is as follows:—

The sponsoring union submitted that the concerned workman was appointed to the post of Badli Miner/Loader in pursuance of a Bipartite Settlement before the ALC(C) Dhanbad as per letter No. GM/Ar.III/PD/86/1192/14325-26 dt. 2-9-86 issued by the General Manager, Govindpur Area and posted at Kooridih Colliery of the Area subject to the conditions that his appointment will be confirmed on verification of his genuineness. Accordingly after appointment of the concerned workman management of Kooridih Colliery vide letter No. Ar. III/KOOR/Badli/2378/88 dtd. the 16/22-3-88 sent the verification roll to the Superintendent of Police, Ganjam (Orissa) to verify the genuineness, character and antecedents of the concerned workman. The Superintendent of Police, Ganjam (Orissa) under his letter No. 997-IVR.IB dt. 30-5-88 sent his reply wherein it was mentioned categorically that there was nothing adverse against the concerned workman Bauri Sao. In spite of getting such report from the S.P. Ganjam (Orissa) management issued a chargesheet to the concerned workman under clause 17(i)(a) and 17(i)(o) of the Model Standing Orders applicable to the establishment at the relevant time. The concerned workman after receipt of the said chargesheet submitted his reply but management/Disciplinary Authority without accepting that reply initiated a domestic enquiry against him, and disregarding all the statements of the witnesses which were recorded by the Enquiry Officer at the time of that domestic enquiry and also disregarding the observation of the Enquiry Officer dismissed him from his services illegally, arbitrarily and violating the principle of natural justice and for which they raised an industrial dispute before the ALC(C), Dhanbad for conciliation which ultimately resulted reference to this Tribunal for adjudication. The sponsoring union accordingly submitted prayer to pass Award directing the management to reinstate the concerned workman to his service with full back wages and other consequential relief.

3. Management on the contrary after filing Written Statement-cum-rejoinder have denied all the claims and allegations which the sponsoring union asserted in the Written Statement submitted on behalf of the concerned workman. They submitted that RCMS raised an industrial dispute demanding employment of 30 workmen as per the list some time in the year 1985. In course of conciliation proceeding the said dispute was amicably settled between

the parties and management agreed to provide their employment as Badli Miner/Loader at Akashkinaree Colliery or in any other mine of Govindpur Area No.3 subject to verification of their antecedents. Accordingly pursuant to that settlement dt. 13-11-85 the concerned workman and others submitted their certificates, verification roll etc. indicating genuinity of their previous employment. At the time of joining in view of that settlement the concerned workman gave his name as Bouri Sahu S/o. Arakheta Sahu of village and P.O. Erendra, P.S. Pattapur, Dist. Ganjam (Orissa). Thereafter management sent the photograph of the concerned workman along with verification roll to the superintendent of Police, Ganjam District Orissa for police verification and it was reported that the concerned workman was of village Kaudia, P.O. Konkorda, P.S. Pattapur, Dist. Ganjam, Orissa. Thus the concerned gave false declaration regarding his village address and as such as per the terms and conditions of his employment he was to be removed from his service and accordingly a chargesheet dt. 26/7-7-88 was issued to the concerned workman alleging commission of misconduct under clause 17 of the Model Standing Orders applicable to the Coal Mining Industry. He was charged for giving false information relating to his village address and also for commission of fraud and dishonesty in connection with employer's business. The concerned workman submitted his reply admitting the fact that he is from village Kaudia, P.O. Kondorda, P.S. Pattapur, dist. Ganjam (Orissa) but he asserted that he was formerly living at village Erendra, P.O. Erendra with his father-in-law and after getting employment in BCCL he built a house of his own at village Kaudia, P.O. Kondorda, P.S. Pattapur, Dist. Ganjam and his village address was subsequently changed. It is the contention of the management that as the concerned workman did not disclose the change of his address and explanation given by him was not satisfactory, the Disciplinary Authority decided to initiate a domestic enquiry against him and accordingly appointed Mr. R.K.P. Srivastava, Sr. P.O. of Jogidih Colliery as Enquiry Officer to conduct domestic enquiry. They submitted that after completing the said enquiry the E.O. submitted his report holding the concerned workman guilty of the charges brought against him. The Disciplinary Authority there-after considering all material aspect including the enquiry report dismissed the concerned workman from his service and in doing so they submitted that the Disciplinary authority did not commit any illegality. In view of the facts and circumstances stated above management submitted that the concerned workman is not entitled to get any relief.

#### 4. Point to be decided.

"Whether the action of the management of Kooridih Colliery in Govindpur Area No.III of M/s. BCCL Ltd. in dismissing the workman Shri Bouri Sahu w.e.f. 1-11-89 is justified? If not, to what relief the said workman is entitled?"

#### 5. Finding with reasons

It transpires from the record that before taking up the hearing of this case on merit it was taken into consideration if the domestic enquiry held against the concerned workman was fair, proper and in accordance with the principle of natural justice. Record shows that inspite of giving sufficient opportunity as the management failed to adduce any evidence to justify their claim that domestic enquiry conducted against him was fair, proper and also in accordance with the principle of natural justice opportunity was given to them to adduce Evidence on merit. In course of hearing the case on merit record shows that the management have failed to adduce any evidence on merit. Practically they have finished their job only by producing enquiry proceeding papers. Though evidence Act is not strictly followed in establishing any case under the I.D. Act its principle is taken so that maintaining equity and justice there is scope to arrive into definite conclusion to answer the reference in question. It is seen that the Disciplinary Authority based on the report of the E.O. dismissed the concerned workman from his service though they placed the enquiry report and proceeding papers before this Tribunal at the time of hearing did not consider necessary to prove the same for its acceptance. They just obliged the Tribunal by filing those papers and considered necessary not to cooperate the Tribunal to arrive into a definite conclusion whether the said order of dismissal issued by them on the allegation of misconduct was justified or not. Even during hearing of the instant case on merit the management did not consider necessary to cooperate this Tribunal.

When such situation is in existence let it be considered based on available papers in the record if the said order of dismissal of the concerned workman from his service was fair, proper and in accordance with the principle of natural justice.

Considering all materials on record I find no dispute to hold that the concerned workman originally was badli Miner/Loader under the management. However, for some reasons services of the concerned workman and other workmen were discontinued and as a result of which the sponsoring union raised an industrial dispute before the ALC (C), Dhanbad. It is admitted fact that during hearing of conciliation proceeding before the ALC(C) the said dispute was amicably settled between the management and the union and management agreed to provide employment to all workmen as Badli Miner/Loader at Akashkinari Colliery or any other mine of Govindpur Area No.III within the jurisdiction of Akashkinari Colliery subject to the conditions that their confirmation would depend on police verification report. It is admitted fact that in view of the said settlement the concerned workman reported to his duty and gave his name as Bauri Sahu son of Arakheta Sahu of village and P.O. Erendra, P.S. Pattapur, Dist. Ganjam

(Orissa) and the letter of appointment was issued on 2-9-86 by the management and accordingly he was posted at Kooridih Colliery. Thereafter the management sent the photograph of the concerned workman along with verification roll to the S.P. Ganjam district, Orissa for police verification, and it was reported that the concerned workman was of village Kaudia, P.O. Konkorda, P.S. Pattapur, dist. Ganjam Orissa. Based on this information as per police report management issued a chargesheet to the concerned workman with the allegation of committing misconduct under clause 17 of the Model Standing Order. The concerned workman thereafter submitted his reply and disclosed that after getting job he started living at village Kaudia, P.O. Konkorda, P.S. Pattapur, Dist. Ganjam after constructing his own but leaving his inlaws house situated at village Erendra, P.D. Erendra, P.S. Pattapur. It is seen that village Erendra and village Kaudia situated under the same P.S. i.e. Pattapur. It also revealed from the enquiry proceeding papers the distance between Erendra and Kaudia is only 3 K.M. It is clear that the concerned workman did not leave the jurisdiction of the same P.S. Only the name of village where he lived and subsequently where he started living changed. The report submitted by the S.P. clearly reveals that there is nothing adverse against the concerned workman in the police record of the district. From the report of the O.C. Pattapur P.S. it reveals that there was no dispute about the identity of the concerned workman. He only changed his village address. The concerned workman has given explanation under which circumstances the said address was changed. It is the allegation of the management that the concerned workman committed fraud or dishonesty with the employer's business by giving false information regarding his name and father's name at the time of employment. The material papers which the management relied on shows clearly that there was no dispute about the correctness of the name of the concerned workman and his father. Accordingly burden absolutely shifts on the management to establish that the concerned workman by giving false information regarding his name and father's name committed misconduct and committed fraud or dishonesty in connection with Employer's business as per clause 17 (i) (a) and 17(i) (o) of the Model Standing Order particularly when the police report went absolutely in favour of the concerned workman about his identification and also identification of his father. It is the observation of the Enquiry Officer that though there was no adverse remark of the Investigating Officer excepting the change of his village address the E.O. observed that he committed misconduct for not giving intimation of such change of address to the management at the time of joining his service. It is fact that concerned workmen did not inform the change of his address to the management but I have failed to understand what fraud he committed in the matter of Company's business for this reason particularly when P.S. address remained the same. Management lamentably failed to establish the charge against the concerned workman as

per clause 19(i) (o) of the Model Standing Order. The only mistake which he committed is that he did not inform the change of address to the management at the time of his joining in service. The police report clearly proved that there was no dispute about the identification of the concerned workman as genuine person. Therefore, only for that reason the management should account for what fraud or dishonesty in connection with employer's business the concerned workman committed. In spite of getting ample opportunity the management lamentably have failed to establish the charge of misconduct against the concerned workman. There is sufficient reason to hold that when the police verification report exposed everything in favour of the concerned workman they illegally and arbitrarily violating the principle of natural justice dismissed him from service. In view of the facts and circumstances discussed above I had that the concerned workman should be reinstated in service. In the result the following Award is rendered :—

"The action of the management of Kooridih Colliery in Govindpur Area No.III of M/s. BCCL in dismissing the workman Shri Bouri w.e.f. 1-11-89 is not justified. Consequently the concerned workman is entitled to be reinstated in his original job without any back wages from the date of his dismissal."

Management is directed to implement the Award within three months from the date of its publication in the Gazette of India in the light of the observation made above.

B. BISWAS, Presiding Officer

नई दिल्ली, 12 जून, 2006

का.आ. 2625.—औद्योगिक विवाद अधिनियम, 1947 (1947 का 14) की धारा 17 के अनुसरण में, केन्द्रीय सरकार भा. को. लि. के प्रबंधन के संबद्ध नियोजकों और उनके कर्मचारों के बीच, अनुबंध में निर्दिष्ट औद्योगिक विवाद में केन्द्रीय सरकार औद्योगिक अधिकरण/श्रम न्यायालय, धनबाद II के पंचाट (संदर्भ संख्या 240/2001) को प्रकाशित करती है, जो केन्द्रीय सरकार को 8-6-2006 को प्राप्त हुआ था।

[सं. एल-20012/332/2001-आई आर (सी-1)]

एस. एस. गुप्ता, अवर सचिव

New Delhi, the 12th June, 2006

S.O. 2625.—In pursuance of Section 17 of the Industrial Disputes Act, 1947 (14 of 1947), the Central Government hereby publishes the award (Ref. No. 240/2001) of the Central Government Industrial Tribunal-cum-Labour Court, Dhanbad II now as shown in the Annexure in the Industrial Dispute between the employers in relation to the management of BCCL and their workman, which was received by the Central Government on 8-6-2006.

[No. L-20012/332/2001-IR(C-I)]

S. S. GUPTA, Under Secy

**ANNEXURE****BEFORE THE CENTRAL GOVERNMENT  
INDUSTRIAL TRIBUNAL (NO. 2) AT DHANBAD****PRESENT:**

SHRI B. BISWAS, Presiding Officer

In the matter of an Industrial Dispute under Section 10(1)  
(d) of the I.D. Act, 1947**REFERENCE NO. 240 OF 2001****PARTIES :** Employers in relation to the Management of Lohapatty Colliery Western Jharia Area of M/s. BCCL and their workmen.**APPEARANCES:**

On behalf of the workman : Mr. S.C. Gaur, Advocate

On behalf of the employers : Mr. H. Nath, Advocate

**Style :** Rankhand **Industry :** Coal.

Dated, Dhanbad, the 24th May, 2006

**AWARD**

The Government of India, Ministry of Labour, in exercise of the powers conferred on them under Section 10 (1)(d) of the I. D. Act, 1947 has referred the following dispute to this Tribunal for adjudication *Vide* their Order No. L-20012/832/2001-IR (C-I), dated, the 19th September, 2001.

**SCHEDULE**

"Whether dismissal of Shri Kesho Mohali Ex-Minor loader from the service by the Management of Lohapatty Colliery, western Jharia Area of M/s. BCCL is legal, justified and appropriate? If not, to what relief the said workman is entitled?"

2. The case of the concerned workman according to Written Statement submitted by the sponsoring union on his behalf in brief is as follows :—

The sponsoring union submitted that the concerned workman Kesho Mohali was a permanent Miner/Loader at Lohapatty Colliery. They submitted that the concerned workman fell ill in July, 1998 and was treated in Colliery dispensary initially and thereafter as his ailment was aggravated he was taken to Bokaro Hospital for better treatment till 20-8-99. They submitted that Management was duly informed about his ailment. But ignoring the intimation given to them management issued a chargesheet to him when he came to his place of work on 21-8-99 with a view to resume his duty on the allegation of committing misconduct as per Clause 26.1 of the Certified Standing Order. After receipt of the chargesheet he submitted its reply but management without accepting his reply initiated a domestic enquiry against him through the Enquiry Officer. The Enquiry Officer after completing a perverse enquiry submitted a report and based on which the Disciplinary Authority dismissed him from his service illegally, arbitrarily and violating the principle of natural justice. Accordingly he raised an industrial dispute for conciliation which ultimately resulted reference to this

Tribunal for adjudication. The sponsoring union accordingly submitted prayer to pass Award directing the Management to reinstate the concerned workman to his service setting aside the said order of dismissal with full back wages and consequential relief.

3. Management on the contrary after filing Written Statement-cum-rejoinder have denied all the claims and allegation which the sponsoring union asserted in the Written Statement submitted on behalf of the concerned workman. They submitted that the concerned workman was a Minor/Loader at Lohapatty Colliery since 18-4-81. They alleged that from 1995 he was very irregular in attending to his duty and from 31-7-98 he started absents from duty continuously without giving any information or taking prior permission from the management and for which management issued a chargesheet to him on 22-7-99. They submitted further that as the reply to the chargesheet given by the concerned workman was not satisfactory the Disciplinary Authority appointed Mr. B.N. Sharma as Enquiry Officer to conduct domestic enquiry against him. They submitted that in course of hearing of the said enquiry proceeding the E.O. gave him full opportunity to defend his case and thereafter submitted his report holding him guilty to the charges. After considering the report of the E.O. and also considering all other aspect the Disciplinary Authority thereafter dismissed the concerned workman from his service vide letter dated 17-3-2000. They submitted that the Disciplinary Authority neither committed any illegality nor took any arbitrary decision in dismissing the concerned workman from his service and for which he is not entitled to get any relief in view of his prayer.

**4. Point to be decided**

"Whether dismissal of Shri Kesho Mohali Ex-Minor Loader from the service by the Management of Lohapatty Colliery, Western Jharia Area of M/s. BCCL is legal and justified and appropriate? If not, to what relief the said workman is entitled?"

**5. Finding with reasons**

It transpires from the record that before taking up the hearing of this case on merit it was taken into consideration if the domestic enquiry held against the concerned workman was fair, proper and in accordance with the principle of natural justice. Said issue on preliminary point was disposed of vide order No. 13 dated 7-10-2005 in favour of the management. Accordingly here the points to be considered are whether the management have been able to substantiate the charge brought against the concerned workman and if so whether there is any scope to review the order of dismissal issued against the concerned workman in view of provision as laid down under Section 11A of the I.D. Act, 1947.

Considering materials on record there is no dispute to hold that the concerned workman was a Minor/Loader at Lohapatty Colliery. It is admitted fact that management issued a chargesheet to the concerned workman for his remaining absent from duty unauthorisedly w.e.f. 31-7-98.

Said chargesheet dated 22-7-1999 during hearing was marked as Ext. M-1. Therefore, it is clear from the chargesheet that the concerned workman continuously remained himself absent from duty w.e.f. 31-7-98 to 20-8-1999 i.e. for more than one year. After receiving chargesheet the concerned workman was given opportunity to submit his reply and he submitted his reply assigning the ground that owing to his illness he did not get scope to join his duty. However, time to time he intimated the management about his ailment which he was suffering from. As the reply given by the concerned workman was not satisfactory the Disciplinary authority initiated a domestic enquiry against him and in course of said enquiry full opportunity was given to him to defend his case. From the proceeding papers it transpires that the E.O. recorded the statement of the concerned workman wherein he disclosed the reasons of his absence. It has been categorically disclosed by him that for his illness he did not get any scope to attend to his duty but in support of his claim he has failed to submit any medical papers about his treatment. Actually excepting the facts disclosed by him while he made his statement before the E.O. he failed to submit a single scrap of medical paper that actually he was lying ill and that was the cause of his remaining since self absent from duty during hearing the concerned workman also has failed to produce any paper to show that he gave due intimation to the management about his ailment. Actually he failed to produce any paper based on which the claim made by him could be substantiated. Accordingly considering all pros and cons as discussed above it is evident that the concerned workman remained on unauthorised leave and for which management was compelled to issue chargesheet to him. In course of hearing management established the charge brought against the concerned workman and based on which he was dismissed from his service by the Disciplinary Authority vide letter No.LC : DISMISSAL : 2000 : 522 dated 16-3-2000 marked as Ext. M-7.

Now the point for consideration is whether there is any scope to review the order of punishment imposed upon the concerned workman by the Disciplinary Authority invoking the jurisdiction of Section 11A of the I. D. Act, 1947. Section 11A of the I. D. Act, 1947 speaks as follows :—

“Where an industrial dispute relating to the discharge or dismissal of a workman has been referred to a Labour Court, Tribunal or National Tribunal for adjudication and, in the course of the adjudication proceedings, the Labour Court, Tribunal or National Tribunal as the case may be, is satisfied that the order of discharge or dismissal was not justified, it may, by its award set aside the order of discharge or dismissal and direct reinstatement of the workman on such terms and conditions, if any, as it thinks fit, or give such other relief to the workman including the award of any lesser punishment in lieu of

discharge or dismissal as the circumstances of the case may require.”

Therefore, according to this provision to review the order of dismissal it has to be taken into consideration if the said order of dismissal was justified and proportionate in relation to the misconduct committed by the concerned workman. Here in the instant case the concerned workman remained himself absent from duty w.e.f. 31-7-98 to 20-8-99 i.e. for more than one year. In view of my discussions above it has been exposed clearly that in course of hearing the concerned workman failed to produce any paper to show that time to time he gave due intimation to the management about his ailment. He also in course of hearing has failed to produce a single scrap of Medical paper to show that he was under treatment of Medical Practitioner. The concerned workman remained himself silent absolutely actually from which ailment he was suffering from. Considering all these aspects there is scope to say that the concerned workman with a view to get rid of the charge brought against him has created a story of his ailment though in course of time he lamentably failed to establish that actually he was lying ill during the period in question. The concerned workman has also failed to give any satisfactory explanation why he did not report his ailment to the nearest colliery hospital with a view to establish the genuineness of his claim particularly when from his statement it transpires that from his native village colliery hospital was situated at a distance of 10 K.M. only. Accordingly burden absolutely rests on the concerned workman to establish that actually he was lying ill and for that reason he had no scope to attend to his duties. I find no hesitation to say considering all pros and cons that the concerned workman created this plea only to get rid of the charges brought against him. He considered that place of work could be utilised as of his choice and for which there was no reason to give any satisfactory explanation. Considering the record I am fully satisfied that the concerned workman intentionally did not consider necessary either to take prior permission from the management or to inform the management the ground for his absence. Such wilful act of the concerned workman definitely has violated the discipline of the company. It is not expected that a workman will remain absent from duty for months together without giving any intimation to the management and simultaneously will take false plea to shield the misconduct he committed. Here considering all materials on record I am satisfied that the concerned workman wilfully and in a very designed way remained himself absent from duty and for that reason he did not have any sort of repentance. The place of work cannot be considered as playground and accordingly there is no scope to give indulgence to any worker to use the place of work of his choice.

Accordingly on careful consideration of all the facts and circumstances discussed above I hold that the order of dismissal issued by the management was absolutely justified and proportionate to the misconduct committed

by him. I therefore hold that management did not commit any illegality in dismissing the concerned workman from his service and for which he is not entitled to get any relief. In the result, the following Award is rendered :—

“The dismissal of Shri Kesho Mohali Ex-Miner Loader from the service by the management of Lohapatti Colliery, Western Jharia Area of M/s. BCCL is legal, justified and appropriate. Consequently, the concerned workman is not entitled to get any relief.”

B. BISWAS, Presiding Officer

नई दिल्ली, 12 जून, 2006

का.आ. 2626.—औद्योगिक विवाद अधिनियम, 1947 (1947 का 14) की धारा 17 के अनुसरण में, केन्द्रीय सरकार भा. को. को. लि. के प्रबंधन के संबद्ध नियोजकों और उनके कर्मचारों के बीच, अनुबंध में निर्दिष्ट औद्योगिक विवाद में केन्द्रीय सरकार औद्योगिक अधिकरण/श्रम न्यायालय, धनबाद II के पंचाट (संदर्भ संख्या 103/2001) को प्रकाशित करती है, जो केन्द्रीय सरकार को 8-6-2006 को प्राप्त हुआ था।

[सं. एल-20012/562/2000-आई आर (सी-1)]

एस. एस. गुप्ता, अवसर सचिव

New Delhi, the 12th June, 2006

S.O. 2626.—In pursuance of Section 17 of the Industrial Disputes Act, 1947 (14 of 1947), the Central Government hereby publishes the award (Ref. No. 103/2001) of the Central Government Industrial Tribunal/Labour Court, Dhanbad-II now as shown in the Annexure in the Industrial Dispute between the employers in relation to the management of BCCL and their workman, which was received by the Central Government on 8-6-2006.

[No. L-20012/562/2000-IR(C-I)]

S. S. GUPTA, Under Secy.

#### ANNEXURE

#### BEFORE THE CENTRAL GOVERNMENT INDUSTRIAL TRIBUNAL (NO. 2) AT DHANBAD

#### PRESENT:

Shri B. BISWAS, Presiding Officer

In the matter of an Industrial Dispute under Section 10 (1) (d) of the I.D. Act, 1947.

Reference No. 103 of 2001

**PARTIES :** Employers in relation to the Management of M/s. BCCL and their workman.

#### APPEARANCES :

On behalf of the workman : Mr. N.G. Arun,  
Representative of the  
workman.

On behalf of the management : Mr. D.K. Verma, Advocate.

State : Jharkhand

Industry : Coal.

Dhanbad, Dated the 16th May, 2006

#### AWARD

The Govt. of India, Ministry of Labour, in exercise of the powers conferred on them under Section 10 (1) (d) of the I.D. Act, 1947 has referred the following dispute to this Tribunal for adjudication *vide* their Order No. L-20012/562/2000(C-I), dated, the 22/26th March, 2001.

#### SCHEDULE

“Whether the demand of the union for regularisation of Sri Sanjay Kumar Ram as Fitter, Cat. IV from 16-12-1995 is proper and justified? If not, to what relief is the concerned workman is entitled?”

2. In this reference both the parties appeared and filed their respective Written Statement, documents etc. Subsequently at the stage of evidence of the management the concerned workman by filing a petition submitted his prayer to pass a ‘No dispute’ Award in this reference as the dispute in question has amicably been resolved between him and the management. Perused the petition and heard both sides. No objection raised on the side of the management in view of the prayer submitted by the concerned workman.

Since the dispute in question has been resolved amicably between the concerned workman and the management, there remains no more dispute to be adjudicated. Under such circumstances, this Tribunal also finds no ground to drag on the case *suo moto* for days together. Accordingly, a ‘No dispute’ Award is passed in this reference presuming non-existence of any industrial dispute between the parties.

B. BISWAS, Presiding Officer

नई दिल्ली, 12 जून, 2006

का.आ. 2627.—औद्योगिक विवाद अधिनियम, 1947 (1947 का 14) की धारा 17 के अनुसरण में, केन्द्रीय सरकार सी. सी. एल. के प्रबंधन के संबद्ध नियोजकों और उनके कर्मचारों के बीच, अनुबंध में निर्दिष्ट औद्योगिक विवाद में केन्द्रीय सरकार औद्योगिक अधिकरण/श्रम न्यायालय, धनबाद-II के पंचाट (संदर्भ संख्या 92/1996) को प्रकाशित करती है, जो केन्द्रीय सरकार को 8-6-2006 को प्राप्त हुआ था।

[सं. एल-20012/239/95-आई आर (सी-1)]

एस. एस. गुप्ता, अवसर सचिव

New Delhi, the 12th June, 2006

S.O. 2627.—In pursuance of Section 17 of the Industrial Disputes Act, 1947 (14 of 1947), the Central Government hereby publishes the award (Ref. No. 92/96) of the Central Government Industrial Tribunal/Labour Court, Dhanbad II now as shown in the Annexure in the Industrial Dispute between the employers in relation to the management of CCL and their workman, which was received by the Central Government on 8-6-2006.

[No. L-20012/239/95-IR(C-I)]

S. S. GUPTA, Under Secy.

#### ANNEXURE

#### BEFORE THE CENTRAL GOVERNMENT INDUSTRIAL TRIBUNAL (NO. 2) AT DHANBAD

#### PRESENT:

SHRI B. BISWAS, Presiding Officer

In the matter of an Industrial Dispute under Section  
10(1)(d) of the I.D. Act, 1947

#### REFERENCE NO. 92 OF 1996

**PARTIES :** Employers in relation to the Barkakana  
Area of M/s. CCL and their workmen.

#### APPEARANCES:

On behalf of the workman : Mr. K. Chakraborty, Ld.  
Advocate.

On behalf of the employers : Mr. D.K. Verma, Ld.  
Advocate.

State : Jharkhand Industry : Coal.

Dated, Dhanbad, the 18th May, 2006

#### AWARD

The Govt. of India, Ministry of Labour, in exercise of the powers conferred on them under Section 10 (1) (d) of the I.D. Act, 1947 has referred the following dispute to this Tribunal for adjudication *Vide* their Order No. L-20012/239/95-IR(Coal.-I), dated, the 3rd September, 1996.

#### SCHEDULE

"Whether the demand of the union that management should accept Sri Umesh Singh as a legally adopted son of Late Maina Mati Manjhi is justified? If so, whether Shri Umesh Singh is entitled for employment as a dependent under provision of para 9.4.2. of NCWA-IV? If so, to what relief is Shri Umesh Singh entitled?"

2. The case of the petitioner workman according to written statement submitted by the sponsoring union on his behalf in brief is as follows :

They submitted that Late Maina Mati Manjhi was a permanent female worker of Lapanga Colliery under the management. The name of her husband was Deo Ranjan Singh. They submitted that Smt. Maina Mati Manjhi was issueless. She adopted Umesh Singh as her son in his child hood under the local custom and usage in presence of local witnesses. After taking adoption said Umesh Singh started residing with her mother Maina Mati Manjhi at her residence. They submitted that Maina Mati died on 25-4-1992 and after her death the petitioner workman Umesh Singh submitted representation to the management for his employment on compassionate ground being adopted son of Maina Mati but management refused to consider his claim and for which he raised an Industrial Dispute before ALC (C), Ranchi for conciliation which ultimately resulted reference to this Tribunal for adjudication.

The sponsoring union accordingly submitted prayer to pass award directing the management to provide employment to Umesh Singh being adopted son of Maina Mati Manjhi.

3. Management on the contrary after filing written statement cum rejoinder have denied all the claims and allegations which the sponsoring union asserted in the written statement submitted for the concerned workman.

They submitted that instant dispute was raised by Deo Ranjan Singh, Regional Secretary, Jharkhand Mazdoor Sangh who is father of the petitioner i.e. Umesh Singh.

They submitted that Maina Mati Manjhi was a permanent employee of Lapanga Colliery who dies on 25-4-1992.

They disclosed that according to service record of Late Maina Mati Manjhi it has been exposed that Smt. Sanjho Manjhi was her mother and Sohrai Manjhi was her son. They further disclosed that Deo Ranjan Singh was also an employee of Lapanga Colliery and according to his service record name of his wife was Smt. Bandhani Devi while Ramesh Singh and Umesh Singh were his sons.

They submitted that Deo Ranjan Singh during his service career never disclosed that he married Maina Mati Manjhi. Actually after the death of Maina Mati said Deo Ranjan Singh started claiming himself as her husband and also claimed for employment of Umesh Singh being her adopted son. The petitioner failed to produce any authentic paper to prove that Maina Mati adopted him legally during her life time. They submitted that the petitioner based on a false claim had raised industrial dispute which is not tenable in the eye of law and for which his claim is liable to be rejected.

#### 4. Points to be decided

"Whether the demand of the Union that management should accept Sri Umesh Singh as a legally adopted son of Late Maina Mati Manjhi is justified? If so, whether Sri Umesh Singh is entitled for employment as a dependent under provision of para 9.4.2 of NCWA-IV? If so, to what relief is Shri Umesh Singh entitled?"

#### 5. Finding with reasons

It transpires from the record that the sponsoring union at the time of hearing did not consider necessary to adduce any evidence with a view to substantiate the claim of the petitioner workman. However, management with a view to substantiate their claim examined one witness as M.W.I.

Considering the facts disclosed in the pleadings there is no dispute to hold that Late Maina Mati Manjhi was a permanent employee of Lapanga Colliery. She died on 25-4-1992. It has been exposed from the pleading that said Maina Mati was widow while she was employed in the said colliery. Contention of the sponsoring union is that the said lady was issueless and married Deo Ranjan Singh. It has been further disclosed that thereafter said Maina Mati adopted Umesh Singh son of Deo Ranjan Singh as her son and after adoption he started living with her at her residence. They submitted that after the death of Maina Mati the petitioner who has claimed himself to be her adopted son submitted representation to the management for his employment on compassionate ground but his such prayer was turned down.

On the contrary considering the facts disclosed by the management in the pleading it has been exposed the Deo Ranjan Singh, father of the petitioner was Regional Secretary, Jharkand Mazdoor Sangh. He was also an employee of Lapanga Colliery and during life time of said Maina Mati he never disclosed about his marriage with her. Further contention of the management is that said Maina Mati died leaving behind her mother Smt. Sanghi Manjhi, daughter Maina Manjhi and son Sohrai Manjhi.

Deo Ranjan Singh's family is consisting of his wife Smt. Bandhani Devi, and sons Ramesh Singh and Umesh Singh. They further disclosed that in the year 1983 Deo Ranjan Singh submitted an application for LTC wherein he declared the petitioner Umesh Singh as his son aged about 20 years. Their further contention is that said Deo Ranjan Singh never disclosed Maina Mati as his wife during her life time. Actually after her death said Deo Ranjan came forward with claim that he married Maina Mati and she being a barren lady adopted his son as her son.

The LTC form submitted by Deo Ranjan (Exht. M/1) clearly exposed the name of his wife as Smt. Bandhani Devi. He also disclosed the name of his two sons viz. Ramesh Singh aged 24 years and petitioner Umesh Singh aged 20 years. This option form was filled in the month of January 1981. Therefore at that relevant time said Umesh Singh was major. It is the contention of Deo Ranjan that as Maina Mati was issueless he married her. No evidence is forthcoming if he obtained divorce before he married Maina Mati as because of the fact that second marriage during life time of first wife is invalid in the eye of law. Therefore burden was on the sponsoring union to establish that either Bandhani Devi died or had no marital ties with her husband when he married Maina Mati. If the facts disclosed by the management is taken into consideration it will expose that Maina Mati was mother of one son and one daughter. Accordingly, there was no scope to say that Maina Mati was issueless lady. During hearing the sponsoring union has failed to produce any paper to show that legal marital ties was created between Maina Mati and Deo Ranjan.

The most vital point which has been cropped up is how a boy who attended his majority could be adopted by a lady as her son particularly when the law does not permit.

Another question which has been cropped up is when said major son of Deo Ranjan was adopted by said Maina Mati as her son. In this regard the sponsoring union has failed to produce any cogent paper. They have failed to produce any deed of adoption by which it could be established that Umesh Singh son of Deo Ranjan was adopted by Maina Mati as her son.

Practically excepting placing such claim the sponsoring union has failed to produce any cogent paper to substantiate their claim that Umesh Singh was the adopted son of Maina Mati. In view of may discussion above there is sufficient reason to believe that Deo Ranjan being Regional Secretary of his union exploiting his post has placed such a claim which appears to be absolutely baseless and false.

Accordingly, as the sponsoring union has failed to justify their claim I find no scope to uphold such claim.

In the result the following award is rendered :

"That the demand of the Union that management should accept Sri Umesh Singh as a legally adopted son of Late Maina Mati Manjhi is not justified.

Consequently, Umesh Singh is not entitled for employment as a dependent under the provision of Para 9.4.2 of NCWA-IV.

B. BISWAS, Presiding Officer

नई दिल्ली, 13 जून, 2006

का.आ. 2628.—औद्योगिक विवाद अधिनियम, 1947 (1947 का 14) की धारा 17 के अनुसरण में, केन्द्रीय सरकार बी एस एफ हॉस्पिटल के प्रबंधन के संबद्ध नियोजकों और उनके कर्मचारों के बीच, अनुबंध में निर्दिष्ट औद्योगिक विवाद में केन्द्रीय सरकार औद्योगिक अधिकरण/श्रम न्यायालय नं.-II, नई दिल्ली के पंचाट (संदर्भ संख्या 106/2004) को प्रकाशित करती है, जो केन्द्रीय सरकार को 13-6-2006 को प्राप्त हुआ था।

[सं. एल-14012/17/2004-आई आर(डीयू)]

सुरेन्द्र सिंह, डैस्क अधिकारी

New Delhi, the 13th June, 2006

S.O. 2628.—In pursuance of Section 17 of the Industrial Disputes Act, 1947 (14 of 1947), the Central Government hereby publishes the award (Ref. No. 106/2004) of the Central Government Industrial Tribunal-cum-Labour Court, No. II, New Delhi as shown in the Annexure in the Industrial Dispute between the employers in relation to the management of BSF Hospital and their workman, which was received by the Central Government

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13-6-2006.

[No. L-14012/17/2004-IR (DU)]

SURENDRA SINGH, Desk Officer

ANNEXURE

**BEFORE THE PRESIDING OFFICER, CENTRAL  
GOVERNMENT INDUSTRIAL TRIBUNAL-CUM-  
LABOUR COURT, NEW DELHI**

**Presiding officer : R.N.RAI I.D. No.106/2004**

**In the matter of :**

The President, Janvadi General Kamgar Mazdoor Union  
(Regd.) C/o E-26, Raja Bazar (Old Qtrr.)  
Baba Kharak Singh Marg,  
New Delhi -110001.

*Versus*

The Incharge,  
BSF Hospital, Tigri Camp,  
New Delhi -110062.

**AWARD**

The Ministry of Labour by its letter No. L-14012/17/2004 -IR(DU) Central Government dated 21-06-04 has referred the following point for adjudication.

The point runs as hereunder:

"Whether Sh. Rajinder Kumar, Civilian Sweeper is entitled to equal pay for equal work and other facilities at par with other group D employees in the BSF Hospital, Tigri Camp, New Delhi? If yes, to what relief he is entitled to and from which date?"

The workman applicant has filed claim statement. In the claim statement it has been stated that Shri Rajinder Kumar, S/o Shri Mahavir was initially employed as Sweeper 'Civilian' w.e.f. 22-11-96 in the pay scale of Rs. 700-25-1000

(consolidated), and now the workman has been getting the consolidated pay of Rs. 2415 for the last three years.

That the regular pay scale of Sweeper in the Central Sweeper in the Central Government Establishment of Rs. 2550-3200 + DA, HRA, CCA, Interim Relief, but the workman has been denied the said pay scale and allowances.

That on behalf of Shri Rajinder Kumar, the Janvadi General Kamgar Mazdoor Union has requested the management vide its letter dated 12-7-03 to regularise the services of Shri Rajinder Kumar as Sweeper and-pay-equal pay for equal work w.e.f. 22-11-96.

That as per the Department of Personnel and Training, Govt. of India O. M. No. 51016/2/90-Estt. (C) dated 10th September, '93, the casual workers were granted the temporary status etc. w.e.f. 1-9-93. According to the said order the wages of the daily-rated/casual workers were granted the minimum pay scale for the corresponding group-D official including DA, HRA, CCA and Interim Relief, etc.

That apart from this, the daily-rated casual workers also entitled leave, maternity leave to a lady casual labourer, 50% of the service rendered under the temporary status would be counted for the purpose of retirement benefits after their regularisation etc. Copy of the said O.M. dated 10-9-93 is also annexed as Annexure-A.

That Shri Rajinder Kumar, Civilian Sweeper, is also entitled to the pay scale plus DA, HRA, CCA, Interim Relief and other facilities like entitlement of leave etc. as per the O.M. dated 10-9-93.

The Management has filed written statement. It has been stated that on the recommendations of HQ DG BSF (Adm Dte) New Delhi, Shri Rajinder Kumar S/o Shri Mahabir R/o Jhuggi No. S/40, A-331, Kasturba Nagar, Tuglakabad, Railway Station, Badarpur, New Delhi was appointed as Sweeper (Civilian) out of BSF Special Relief Fund on consolidated pay scale of Rs. 700-1000 vide order No. 1065/Estt./F-40/STS/96/581-88 dated 29-11-1996. A copy of said order dated 29-11-1996 is attached as Annexure-R-I. The Special Relief Fund is totally of private nature raised out of the contribution made by serving BSF Personnel and no aid/grant is given either by Central or State Government.

That depending upon the requirement and workload in the Medical Inspection Room the governing body of BSF Special Relief Funds holds meeting from time to time to convey approval out of Special Relief Fund, which is totally private fund on temporary basis as per short term requirement. Hence Shri Rajinder Kumar was employed as Sweeper (Civilian) in the BSF Hospital at Signal Training School, Tigri Camp, New Delhi purely on temporary and mainly to ensure cleanliness of the MI Room where emergency/immediate treatment of BSF personnel and officers injured in J&K/North East and other Borders of India during militant action. Such cases are being referred either to Safdarjung Hospital or AIIMS for medical management. But, it was found that Shri Rajinder Kumar was a habitual absentee from duties and most of the days he remained absent from his duties. Due to his long period

of absence, the hygiene and sanitation of the BSF MI Room got suffered and deteriorated to bad shape from June 2003 to December 2003. He remained absent for 155 days. He also failed to produce any genuine reasons for his long absence. Due to his continuous absence from duty w.e.f. 4-11-2003 without any intimation/genuine reasons, his service was terminated on administrative ground by the competent authority with one month salary in lieu of one month notice on 19 Dec. '03 *vide* this office order No. Estt. 1063/SRF/03/2302-08 dated 19 Dec. '03 is attached as Annexure R-II.

That, as per FHQ(Adm) Dte L/No. 34/318/203-Adm.-I/BSF/20082-20381 Dated 20-11-03, the service of an Employee employed out of special relief fund can be terminated in case he/she is found unsuitable for his/her job or due to any other administrative reasons like paucity of funds etc. giving one month notice. A copy of letter dated 20-11-03 is attached as Annexure R-III. It is submitted that the termination order and cheque were sent to Shri Rajinder Kumar at his home address by registered post which was received back undelivered as his house could not be got located at the address given on his application. After physical verification, it was found that the given address does not exist which indicates that the individual had furnished fake residential address at the time of his appointment. Then the matter was published in the local Hindi Newspaper. The report submitting by the officer regarding fake address of the individual and Newspaper clipping are attached as Annexure R-IV and R-V respectively.

That in reply to contents of para 2 of the statement of claim that Shri Rajinder Kumar was initially employed as Sweeper "Civilian" Temporarily w.e.f. 22-11-96 in the pay scale of Rs. 700-25-1000 (consolidated), out of BSF Special Relief Fund (which is totally Private Fund). As per the decision of 11th Governing Body Meeting of Special Relief Fund held on 19th 1984 *vide* which provision for grant of 15% HRA of the above basis pay has been given for para-medical staff paid out of BSF SRF. Further on the basis of decision taken in the Governing Body Meeting of Special Relief Fund on 7th April 1998, the above pay scale has been revised to Rs. 2000-50-2100 (consolidated) w.e.f. 01-04-1998. Therefore he was getting total salary at the rate of Rs 2415/- (i.e. salary @ 2100 + 315 as 15% HRA of the basic pay out of Special Relief Fund till his termination from service. Further during 20th Governing meeting of Special Relief Fund held on 29th Oct., 2004, where a point regarding enhancement of salary of widows employed out of BSF Private Fund was discussed and decided that employment of all private funds may be considered on contract basis for a period of one year instead of continuation of service on consolidated salary at the following rates w.e.f. 1st Jan., 2005.

(a) Skilled—Rs 3,000 p.m. (ANM & Radiographer)

(b) Un-skilled—Rs 2,700 p.m. (Midwife/Aya/Sweeper & Cretch Mother)

It is submitted that in the Central Government Establishment the Sweeper may be in the pay scale of Rs. 2550—3200+DA, HRA, CCA, Interim Relief etc. as contended by the petitioner, but since Shri Rajinder Kumar

was appointed out of a Private Fund of BSF as explained in Para-1 & 2 above and he not being a Central Government Employee the said pay scale is not admissible to him as a matter of right. Moreover his employment was from the BSF Special Relief Fund Rules 1988, which is a Private Fund.

It is submitted that the case was duly considered by the Competent Authority and there is no provision in the Special Relief Fund Rules for regular appointment, so the request of Shri Rajinder Kumar could not be acceded to. It is further submitted that as per practice in vogue, the employment of para-medical staff out of Special Relief Fund (i.e. Private Fund) is being given purely on humanitarian ground on temporary basis. On the basis of requirement of one Sweeper (civilian) at the BSF Hospital, Tigri Camp, New Delhi, Shri Rajinder Kumar was appointed as sweeper out of Special Relief Fund in BSF Hospital STS Tigri, New Delhi on temporary basis. Otherwise also no post of Sweeper is authorized/sanctioned to BSF Hospital, at Tigri Camp, New Delhi out of Special Relief Fund or from Government Fund. There is no provision to make this appointment on regular basis in the pay scale of Central Government employees out of Special Relief Fund (i.e. Private Fund).

It is submitted that the instruction issued by Department of Personnel and Training Government of India *vide* Office Memorandum dated 10-9-93 are applicable to the casual labourers employed in the Ministry/Department of Government of India and their attached and subordinated office. The said instruction are not applicable to casual worker who were appointed out of private fund, which was being managed by separate set of rule i.e. Special Relief Fund 1988. It is pertinent to point out that even the instructions quoted by Shri Rajinder Kumar in this para contains a clause that despite condemnation of temporary status, the services of a casual labourer can be dispensed with by giving a notice of one month in writing on either side. Though these instructions were not applicable in the case of Shri Rajinder Kumar, but still he was given one month salary in of notice. Even otherwise Shri Rajinder Kumar could not have been served with any notice as he has submitted fake address in his application and his whereabouts were not known to the department, which is evident from the fact that his termination order has to be published by the department.

The workman applicant has filed rejoinder. In his rejoinder he has reiterated the averments of his claim statement and has denied most of the paras of the written statement. The management has also denied most of the paras of the claim statement.

Heard arguments from both the sides and perused the papers on the record.

The workman applicant has filed affidavit but the management did not adduce any evidence. No oral evidence in this case is required.

It was submitted from the side of the workman that he was employed as Civilian Sweeper w.e.f. 22-11-1996 on a consolidated salary of Rs. 1415 for the last three years. He was not paid the wages of sweeper of the Central

Government establishment. He requested the management to regularise his services but the respondent/management did not take any heed to his representations. He is entitled to get equal pay for equal work which a sweeper of the Central Government is getting.

It was submitted from the side of the management that the workman applicant was appointed as Civilian Sweeper. He is not a government employee. He was appointed on a consolidated pay and his wages are paid out of special relief fund which is totally of private nature and this fund is raised out of the contribution made by the serving BSF personnel and no aid/grant is given by the Central Government or the State Government.

It was further submitted that in his appointment letter dated 29-11-1996 it has been specifically mentioned that he is appointed on a consolidated pay of Rs. 700-25-1000 and his salary will be met out of special relief fund of FHQ.

The terms and conditions of the workman have been categorically spelt in the letter of appointment. He is not a government servant. He is civilian sweeper and payment to him is made out of special relief fund from the personnel of BSF. It is absolutely private fund and there is no contribution of government to this fund.

It was further submitted that the workman remained absent for 155 days so his services were terminated on administrative grounds due to his long absence on 19-12-2003.

It was further submitted from the side of the management that a cheque of one month's pay in lieu of notice was sent on the address provided by him in his application but the same was not delivered as the address was fake. He did not disclose his correct address.

It was further submitted that the circular of the government of equal pay for equal work is not applicable in the instant case as the workman was not paid out of any consolidated fund of government but payment to him was made out of contribution raised from the BSF Personnel.

In the facts and circumstances of the case the workman is not an industrial workman and the dispute is not an industrial dispute. He has been given temporary appointment of sweeper of the committee room. The terms and conditions of his appointment have been specified in the appointment letter. He cannot claim more and he cannot be given more as his appointment is need based and it depends upon the contributions raised from the BSF Personnel. He is not entitled to get any relief as prayed for.

The reference is replied thus : —

Shri Rajender Kumar, Civilian Sweeper is not entitled to equal pay for equal work and other facilities at par with other Group - D Employees in the BSF Hospital, Tigri Camp, New Delhi. The workman applicant is not entitled to get any relief as prayed for.

Award is given accordingly.

Date : 09-06-2006

R.N. RAI, Presiding Officer

नई दिल्ली, 13 जून, 2006

का.आ. 2629.—औद्योगिक विवाद अधिनियम, 1947 (1947 का 14) की धारा 17 के अनुसरण में, केन्द्रीय सरकार सी.पी.डब्ल्यू. डी. के प्रबंधन के संबद्ध नियोजकों और उनके कर्मचारों के बीच, अनुबंध में निर्दिष्ट औद्योगिक विवाद में केन्द्रीय सरकार औद्योगिक अधिकरण/श्रम न्यायालय नं.-II, नई दिल्ली के पंचाट (संदर्भ संख्या 135/99) को प्रकाशित करती है, जो केन्द्रीय सरकार को 13-6-2006 को प्राप्त हुआ था।

[सं. एल-42011/51/98-आई आर(डी.यू.)]

सुरेन्द्र सिंह, डैस्क अधिकारी

New Delhi, the 13th June, 2006

S.O. 2629.—In pursuance of Section 17 of the Industrial Disputes Act, 1947 (14 of 1947), the Central Government hereby publishes the award (Ref. No. 135/99) of the Central Government Industrial Tribunal-cum-Labour Court, No. II, New Delhi as shown in the Annexure in the Industrial Dispute between the employers in relation to the management of CPWD and their workman, which was received by the Central Government on 13-06-2006.

[No. L-42011/51/98-IR (DU)]

SURENDRA SINGH, Desk Officer

ANNEXURE

**BEFORE THE PRESIDING OFFICER: CENTRAL GOVERNMENT INDUSTRIAL TRIBUNAL-CUM-LABOUR COURT-II RAJENDRA BHA WAN, GROUND FLOOR, RAJENDRA PLACE, NEW DELHI**  
PRESIDING OFFICER: R.N. RAI

**I.D. No.135/1999**

IN THE MATTER OF:

Shri Nand Lal,  
C/o. General Secretary,  
CPWD Mazdoor Union,  
E-26(Old Qtr.), Raja Bazar,  
Baba Kharak Singh Marg,  
New Delhi - 110 001

*Versus*

The Director General of Works,  
CPWD, Nirman Bhawan,  
New Delhi - 110 011.

**AWARD**

The Ministry of Labour by its letter No. L-42011/51/98-IR(DU) Central Government. Dtd. 16/20-04-1999 has referred the following point for adjudication.

The point runs as hereunder:

"Whether the action of the Director General of Works, CPWD in not regularising Shri Nand Lal and Shri Om Prakash w.e.f. 06-06-1977 and 28-03-1982 the dated of their initial employment respectively is legal and justified? If not, to what relief the workmen are entitled."

The workman applicant has filed claim statement. In the claim statement it is stated that the appropriate Government in the Ministry of labour, Sharam Mantralaya vide its Order No. L-42011/51/98/IR(DU) dated 16/20-04-1999 have referred the dispute between the above parties for adjudication as per the following terms and conditions :

#### SCHEDULE

"Whether the action of the Director General of Works, CPWD in not regularising Shri Nand Lal and Shri Om Prakash w.e.f. 06-06-1977 and 28-03-1982 the date of their initial employment respectively is legal and justified? If not, to what relief the workmen are entitled."

That Shri Nand Lal S/o. Shri Kamal Singh was initially engaged as Beldar on muster roll w.e.f. 06-06-1977 in "F" Division, CPWD and his services were regularised as Chowkidar in the pay scale of Rs.196-232 w.e.f. 31-05-1984.

That Shri Nand Lal got equal pay for equal work w.e.f. 06-06-1977 during the period on daily rated worker on muster roll in the pay scale of Rs.196-232 without increments as per the judgment of Hon'ble Supreme Court in the matter of Surender Singh and others Vs. Engineer-in-Chief, CPWD and others as presently posted in PWD-21.

That Shri Om Prakash S/o. Shri Prem Singh was initially engaged as Beldar w.e.f. 28-03-1982 on muster roll.

That his services were regularised as Beldar in the pay scale of Rs.750-940 w.e.f. 16-05-1989 and presently posted in PWD-21 at I.P. Store.

That Shri Om Prakash also got arrears of equal pay for equal work in the pay scale of Rs.196-232 w.e.f. 28-02-1982 to 31-12-1985 and w.e.f. 01-01-1986 upto the date of regularisation 15-05-1989 in the pay scale of Rs. 750-940 without any increments as per the judgment of Hon'ble Supreme Court in the matter of Surender Singh Vs. Engineer-in-Chief, CPWD and others.

That more than 20000 workers in the grade of skilled/unskilled/highly skilled etc. were performing their duties in different units/divisions under the above management so the provisions of Model Standing Orders in respect of Industrial Establishment and as per classification of the said Model Standing Orders Act under the Industrial Employment (Standing Orders) Act, 1946, the workmen became permanent workmen after completion of 90 days of service. And in this case, the management arbitrarily regularised their services without following the provisions of above orders and the workmen are entitled to be regularised with effect from their dates of initial employment.

That non-regularisation of services of the workmen from the dates of their initial engagement is unfair labour practice as per provisions of Industrial Disputes Act, 1947.

That non-regularisation of services of workmen from the dates of their initial employment with a view to exploit them by denying them the benefits and fruits that of regular and permanent workmen in the proper time scale which action of management is also unfair labour practice and the Vth Schedule of ID Act, 1947.

That as per the item No. 10 of the Vth Schedule of ID Act, 1947 dealing with unfair labour practice, the Hon'ble Parliament has disapproved the exploitation of workmen while inserting the amendments and the same has been taken effect 21-08-1986 as under :

"10. To employ workmen as badlis, casuals or temporaries and to continue them as such for years with the object of depriving them of the status and privileges of permanent workmen."

That as per the judgment of Hon'ble Supreme Court in the matter of Surender Singh and others Vs. Engineer-in-Chief, CPWD and others, all daily rated workers are entitled to be paid equal pay for equal work from the date of his/their initial employment.

That the action of the Director General of Works, CPWD in not regularising the services of Shri Nand Lal and Shri Om Prakash w.e.f. 06-06-1977 and 28-03-1982 the dates of their initial employment respectively is illegal and unjustified.

That the workmen are entitled to be regularised with effect from 06-06-1977 and 28-03-1982 respectively, the dates of their initial engagement and not from the dates of arbitrary regularisation w.e.f. 31-05-1984 and 16-05-1989 respectively.

That I am filing the statement of claim on behalf of the workmen being General Secretary of CPWD Mazdoor Union.

The management has filed written statement. In the written statement it is stated that the reference of the appropriate Government is bad upon law and facts. It is liable to be set aside and reverted back. No proceedings can be initiated on the basis of the same.

That there is no industrial dispute between the parties. Even otherwise the alleged industrial dispute is false, frivolous and misconceived. As such present proceedings are liable to be dropped/discontinued against the management.

That the statement of claim before the Hon'ble Court is not maintainable in the present form and it is liable to be rejected outrightly by the Hon'ble Court.

That the statement of claim is bad in law and facts. The same is false, frivolous and illegal. The same is liable to be dismissed/rejected.

That no demand or notice was ever given by the workman to the management. As such the reference is liable to be set aside, rejected and returned back. The claim of the workmen is also liable to be rejected on this ground alone.

That the management has not indulged in any anti-labour or unfair practice and statement of claim is liable to be dismissed.

That the regularisation of the workmen is correct and legal. There is no fault in it. The workmen have been correctly regularised as per the correct and legal policy of the management. They have been regularised correctly as per provisions laid down in CPWD Manual, Vol. III para No. 2.02. They have also been correctly regularised in accordance with and as per provisions of Model Standing

Orders Act, under the Industrial Employment (Standing Orders) Act, 1946. The statement of claim is liable to be rejected and the workmen are not entitled to any relief.

That the claim of the workmen is time-barred and it is not also properly filed. It is liable to be rejected.

The workman applicant has filed rejoinder. In his rejoinder he has reiterated the averments of his claim statement and has denied most of the paras of the written statement. The management has also denied most of the paras of the claim statement.

Evidence of both the parties has been taken.

After filing written statement the management is not turn up. The workman has filed affidavit. Several opportunities have been given but the management did not turn up so on 07-05-2006 the cross-examination of the workman was closed as the management was not present to cross-examine the workmen. The case was posted for argument.

Heard argument from the side of the workman.

It was submitted from the side of the workman that the workmen Shri Nand Lal and Shri Om Prakash have not been regularised from the initial date of their posting w.e.f. 06-06-1977 and 28-03-1982. It becomes quite obvious that the workmen have been regularised as and when posts were available. There is no merit in the contention of the workmen that they should be regularised from the date of their initial engagement. Regularisation is always against post and when posts were created the workmen were regularised. They cannot claim regularisation from the initial date of their engagement. There is no merit in the contention of the workmen.

The reference is replied thus:

The action of the Director General of Works, CPWD in not regularising Shri Nand Lal and Shri Om Prakash w.e.f. 06-06-1977 and 28-03-1982 the date of their initial employment respectively is legal and justified. The workmen applicants are not entitled to get any relief as prayed for.

Award is given accordingly.

Date: 07-06-2006

R. N. RAI, Presiding Officer

नई दिल्ली, 13 जून, 2006

का.अ. 2630.—औद्योगिक विवाद अधिनियम, 1947 (1947 का 14) की धारा 17 के अनुसरण में, केन्द्रीय सरकार सी.पी.डब्ल्यू. डी. के प्रबंधन के संबद्ध नियोजकों और उनके कर्मचारों के बीच, अनुबंध में निर्दिष्ट औद्योगिक विवाद में केन्द्रीय सरकार औद्योगिक अधिकरण/श्रम न्यायालय नं.-II, नई दिल्ली के पंचाट (संदर्भ संख्या 227/99) को प्रकाशित करती है, जो केन्द्रीय सरकार को 13-6-2006 को प्राप्त हुआ था।

[सं. एल-42011/18/99-आई आर(डीयू)]

सुरेन्द्र सिंह, डेस्क अधिकारी

New Delhi, the 13th June, 2006

S.O. 2630.—In pursuance of Section 17 of the Industrial Dispute Act, 1947 (14 of 1947), the Central Government hereby publishes the award (Ref. No. 227/99) of the Central Government Industrial Tribunal-cum-Labour Court, No. II, New Delhi as shown in the Annexure in the Industrial Dispute between the employers in relation to the management of CPWD and their workman, which was received by the Central Government on 13-06-2006.

[No. L-42011/18/99-IR(DU)]

SURENDRA SINGH, Desk Officer

#### ANNEXURE

#### BEFORE THE PRESIDING OFFICER: CENTRAL GOVERNMENT INDUSTRIAL TRIBUNAL-CUM-LABOUR COURT-II, NEW DELHI

PRESIDING OFFICER: R. N. RAI

LD. No. 227/1999

IN THE MATTER OF:

Smt. Saroj & Ors.,  
C/o. General Secretary,  
CPWD Mazdoor Union,  
E-26 (Old Quarter), Raja Bazar,  
Baba Khark Singh Marg,  
New Delhi - 110001.

*Versus*

The Director General of Works,  
CPWD,  
Nirman Bhawan,  
New Delhi - 110001.

#### AWARD

The Ministry of Labour by its letter No. L-42011/18/99-IR (DU) Central Government dtd. 17-11-1999 has referred the following point for adjudication.

The point runs as hereunder:

"Whether the action of the management of CPWD in not granting permanent status/regularisation to the workmen as per Annexure - A from the dates of their initial employment is legal and justified? If so, to what relief the workmen are entitled."

The workmen applicants have filed claim statement. In their claim statement it is stated that Smt. Saroj, S/Shri Kailash, Sudhram, Vijay, Sohan Lal, Ashrafi Lal, Babu Lal, Balbir Singh, Hari Ram, Nanoo Singh, Dharam Pal, Puran were initially engaged as Beldars in different divisions and on different dates of the above management and their services were not regularised from the dates of their respective employment.

That all the above workmen have got their wages in the time scale from the date of their initial employment as daily rated without increment up to the date of their regularisation in the time scale except increment.

That the management has not regularised whole of the services of the workmen from the date of their initial employment.

That more than 20000 workers in the grade of skilled/unskilled/highly skilled etc. were performing their duties in different units/divisions under the above management so the provision of Model Standing Orders in respect of industrial establishment and as per classification of the Model Standing Orders Act under the Industrial Employment (Standing Orders) Act, 1946, the workmen become permanent workmen after completion of 90 days of service. And in this case, the management arbitrarily regularised the services of the workmen without following the provisions of above orders and the workmen are entitled to be regularised w.e.f. from the dates of their initial employments.

That non-regularisation of services of the workmen connected with the dispute from the respective dates of employment is also unfair labour practice as per provisions of Industrial Dispute Act, 1947.

That non-regularisation of services of workmen from the dates of their respective employments with a view to exploit them by denying them the benefits and fruits of a regular and permanent workman in the proper time scale which action of the management is also unfair labour practice under the Vth Schedule of Industrial Disputes Act, 1947.

That as per item no. 10 of the Vth Schedule of ID Act dealing with unfair labour practice the Hon'ble Parliament has disapproved the exploitation of workmen while inserting the amendments and the same has been taken effect w.e.f. 21-08-1984 as under :

"10. To employment workmen as badlis, casuals or temporaries and to continue them as such for years, with the object of depriving them of the status and privilege of permanent workmen."

That as per the judgment of Hon'ble Supreme Court in the matter of Surrender Singh and Others Vs. Engineer - in-Chief, CPWD and Others, all daily rated workers are entitled to be paid equal pay for equal work from the dates of their initial employment.

That all the workmen are entitled to be regularised w.e.f. dates mentioned in Col. 3 in Annexure - A enclosed with this application and not from the dates as mentioned in Col. 5 of the Annexure i.e. arbitrarily regularised their services.

That the action of the management of CPWD in not granting permanent status/regularisation to the workmen as per Annexure - A from the date of their initial employment is illegal and unjustified.

That the workmen are entitled to permanent status/regularisation of their services from the date of their initial employment.

The management has filed written statement. In the written statement it is stated that the claim of the workmen as well as the reference made by the competent authority before this Tribunal is misconceived, wrong and not tenable in the eyes of law.

That there is no policy of the Government nor any law as such to regularise the service of workmen from the date of their initial engagement under the management.

That the claim is misconceived and has wrongly been referred to this Hon'ble Tribunal and therefore, the same is not maintainable. It is submitted that the competent authority has wrongly referred the matter for adjudication to this Hon'ble Tribunal.

That the contents of corresponding paras being matter of record, need no reply. However, it is submitted that at present the workmen are working under various divisions as mentioned below:

1.	SMT. SAROJ	-A DIVISION
2.	SHRI KAILASH	-N DIVISION
3.	SHRI BABU LAL	-N DIVISION
4.	SHRI BALBIR SINGH	-N DIVISION
5.	SHRI HARI RAM	-N DIVISION
6.	SHRI NANOOSINGH	-N DIVISION
7.	SHRI VIJAY	-N DIVISION
8.	SHRI DHARAM PAL	-K DIVISION
9.	SHRI POORAN	-K DIVISION
10.	SHRI ASHRAFI LAL	-R DIVISION
11.	SHRI SUDH RAM	-R DIVISION

It is further submitted that the reference as well as the claim is misconceived and not tenable.

That in reply to the contents of the corresponding para, it is submitted that most of the contents thereof the corresponding para are matter of record and hence need no reply. However, it is specifically and vehemently denied that the management has regularised the services of the workmen arbitrarily and without following the recruitment rules thereof and also that the workmen are entitled for their regularisation w.e.f. the date of their initial employment/engagement with the management.

It is further submitted that in the judgement dated 17-01-1986 in the case titled Shri Surrender Singh and Others Vs. Engineer - in - Chief, CPWD, Writ Petition (Civil) Nos. 59-60 and 563-70 of 1983, the Hon'ble Supreme Court has referred to its own judgment in the case of employee of Nehruyuvak kendra as under:

"We therefore, allow the writ petitions and make the rule absolute and direct the Central Government to accord to these persons who are employed by the Nehru Yuvak Kendras and who are concededly performing the same duties as Class - IV employees, the same salary and conditions of services as are being received by Class-IV employees, except regularisation which cannot be done since there are no sanctioned posts. But we hope and trust that

posts will be sanctioned by the Central Government in the different Nehru Yuvak Kendras, so that these persons can be regularised. It is not at all desirable that any management and particularly the Central Government should continue to employ persons on the casual basis in Organizations which have been in existence for over 12 years. The salary and allowance of Class-IV employees shall be given to these persons employed in Nehru Yuvak Kendras with effect from the date when they were respectively employed."

In the aforesaid judgment the Hon'ble Court had desired that the Government will take appropriate action to regularise the services of those who have been in continuous employment for more than six months. In compliance of such orders of the Apex Court the department framed the policy for regularisation of workers like workman and workers were regularised in view of such policy/rules. It is further submitted that the Hon'ble Supreme Court has nowhere desired and/or directed for such regularisation of the workman w.e.f. their respective dates of engagement.

That the contents of the corresponding paras are wrong, misconceived and misleading and hence denied. It is submitted that the regularisation was made in terms of the policy/rules in view of the judgment of the Apex Court referred herein above. It is denied that the action of the management is unfair labour practice and/or violative of the provisions of the Industrial Disputes Act, 1947.

That the contents of the corresponding para being matter of record, need no reply.

That the contents of the corresponding para being wrong, misleading and misconceived and hence denied. Moreover, in view of the submissions made herein above, it is clear that the workmen are not entitled for their regularisation w.e.f. the dates as claimed.

The contents of the para are wrong and the action of the management is as per rules/policy on the subject.

That the contents of the corresponding para are wrong and hence denied. The same need no further explanation in view of submissions made herein above.

The workman applicant has filed rejoinder. In his rejoinder he has reiterated the averments of his claim statement and has denied most of the paras of the written statement. The management has also denied most of the paras of the claim statement. Evidence of both the parties has been taken.

Heard arguments from both the sides and perused the papers on the record.

It was submitted from the side of the workman that the management/respondent engaged 11 workmen on various dates and regularised them from different dates. Particulars of these workmen have been furnished on a separate sheet. It becomes quite obvious from perusal of that sheet that all the workmen have been regularised prior to 1999.

It was submitted from the side of the workmen that these workmen have not been regularised from the date of their initial engagement. It becomes quite obvious from perusal of the particulars of the workmen that they have been regularised after 7 or 8 years. None of these workmen have been regularised from the initial date of engagement.

It was further submitted that the workmen have not been regularised from the date of their initial engagement in order to deprive them all the benefits and fruits of a permanent workman. Such practice amounts to unfair labour practice. These workmen should have been regularised from the initial date of their engagement and not from the date when posts were available.

It was submitted from the side of the management that it is prerogative of the Government to sanction posts. Posts were not sanctioned on the initial date of their engagement. As and when the posts were sanctioned the workmen were regularised.

My attention was drawn from the side of the workmen to 2006(4) Scale No. 2. The Constitution Bench of the Hon'ble Apex Court has held that there is no law for regularisation. The employees appointed against recruitment rules cannot be regularised. The Government can make temporary appointments or workers may be engaged on daily basis but such workers have no inherent right to regularisation as they have not been appointed through recruitment process.

It has been further held in this case that regularisation is done against vacant posts. In case posts are not vacant there is no question of regularisation.

It is admitted case that these workmen have not been appointed after process of a regular selection. They have been initially engaged as daily wagers or adhoc employees so they cannot claim regularisation from the date of their initial appointment.

It was further submitted that the workmen have been regularised whenever substantive posts were available. They have been paid the wages of an employee of their cadre. The Hon'ble Supreme Court in Surender Singh case has held that employees cannot be regularised in case posts are not available. Regularisation can be done only against sanctioned posts. In view of this judgment also the workmen cannot claim regularisation from the date of their initial engagement. They have been regularised as and when the post was available and their claim for regularisation from the respective dates of their initial engagement is neither sustainable nor justified.

The reference is replied thus :

The action of the management of CPWD in not granting permanent status/regularisation to the workmen as per Annexure-A from the dates of their initial employment is legal and justified. The workmen applicants are not entitled to get any relief as prayed for.

Award is given accordingly.

Date : 09-06-2006

R.N. RAI, Presiding Officer

नई दिल्ली, 15 जून, 2006

का. आ. 2631.—औद्योगिक विवाद अधिनियम, 1947 (1947 का 14) की धारा 17 के अनुसरण में, केन्द्रीय सरकार मै. एयरोफ्लोट के प्रबंधन के संबद्ध नियोजकों और उनके कर्मचारों के बीच, अनुबंध में निर्दिष्ट औद्योगिक विवाद में केन्द्रीय सरकार औद्योगिक अधिकरण/श्रम न्यायालय, नई दिल्ली-II के पंचाट (संदर्भ संख्या 71/2004) को प्रकाशित करती है, जो केन्द्रीय सरकार को 14-6-2006 को प्राप्त हुआ था।

[सं. एल-11012/2/2004-आई आर (सी-I)]

एस. एस. गुप्ता, अवर सचिव

New Delhi, the 15th June, 2006

S.O. 2631.—In pursuance of Section 17 of the Industrial Disputes Act, 1947 (14 of 1947), the Central Government hereby publishes the award (Ref. No. 71/2004) of the Central Government Industrial Tribunal/Labour Court, New Delhi-II now as shown in the Annexure in the Industrial Dispute between the employers in relation to the management of M/s. Aeroflot and their workman, which was received by the Central Government on 14-6-2006.

[No. L-11012/2/2004-IR(C-I)]

S. S. GUPTA, Under Secy.

#### ANNEXURE

**BEFORE THE PRESIDING OFFICER : CENTRAL  
GOVERNMENT INDUSTRIAL TRIBUNAL-CUM-  
LABOUR COURT-II,  
RAJENDRA BHAWAN, GROUND FLOOR, RAJENDRA  
PLACE, NEW DELHI**

**PRESIDING OFFICER : R. N. RAI**

**I.D. No. 71/2004**

#### IN THE MATTER OF:—

Deceased Shri Jyoti Prasad (Heir Smt. Jasoda Devi),  
Ex. Mechanic-cum-Driver,  
S/o Shri Ramchander Sodhi,  
R/o 10578/30, Gali No.2,  
Shamjimal Lane,  
Bagichi Aauddin,  
Paharganj, New Delhi.

#### VERSUS

M/s. Aeroflot  
15-17, Tolstoy Marg,  
New Delhi -110001.

#### AWARD

The Ministry of Labour by its letter No. L-11012/2/2004 IR (C-I) Central Government dt. 26-4-04 has referred the following point for adjudication.

The point runs as hereunder :

“Whether the action of the management of M/s. Aeroflot in pre-maturely retiring the workman on 18-11-2002 taking his date of birth as 26-7-1941 at

the place of 26-7-1947 is legal and justified? If not so, to what relief the workman is entitled to.”

The workman applicant has filed claim statement the claim statement it has been stated that this is one such case where the Applicant Workman being most honest, sincere and dutiful employee of the abovesaid management has been victimized by Pre-Mature retirement which seems to be an ill-effect of pre-planned conspiracy at the hands of some officers of the management who might have been remaining annoyed from him for sometime in the past.

That the Applicant/Workman had been serving the management since 4-10-1973 and had an excellent and sincere service record in his credit which fact otherwise gets ascertained from the length of services which he had rendered to the management without any Memo, Show Cause and warning etc.

That because of certain ulterior reasons best known to the management, a Memo dated 30-10-2002 was issued to Applicant/Workman where the Workman/Applicant was conveyed that the bonus of Applicant/Workman is being withheld. The Applicant/Workman gave a reply dated 7-11-2002 explaining his bonafide and performance of his duty with dedication and sincerity.

That further it seems that the management being vindictive opted to serve two notices dated 13-11-2002 though in one such notice they had demanded School Leaving Certificate and/or Matriculation Certificate along with self attested photocopies within 48 hours and whereas through the other notice they had conveyed the Applicant/Workman that he was not entitled for any Bonus. It is being submitted that the Applicant/Workman gave reply to both the notices separately but it had been very unfortunate state of affairs that the management being vindictive and ill-motivated served the Applicant/Workman with the impugned Order dated 16-11-2002 where by the Applicant/Workman was pre-maturely retired.

That the foul play and vindictive and punitive approach of the management in Pre-Maturity retiring him w.e.f 18-11-2002 is otherwise also clear from bare perusal of Order itself as Order says that the Applicant/Workman has been retired meaning thereby that he has attained the age of 60 years which is not the case in hand. The Applicant/Workman had submitted genuine and relevant documents along with his reply dated 15-11-2002 in response to the notices of management dated 13-11-2002 which goes on suggest that the management is in possession of his birth record to be 26-7-1947 which is exclusively clear from the Identity Card issued by the management and photocopy of Driving Licence, Pass port and date of Employment maintained by the management.

That the Order of Pre-mature retirement dated 16-11-2002 is patently illegal, malafide and seems to be a planned concerted efforts of the management.

That the applicant/workman has been victimized at the hands of management for no fault of on his behalf and in case such kind of illegal and arbitrary act of the management are not curtailed, it may repeat in future with some another sincere and honest employee.

That the Applicant/Workman after 16-11-2002 made a number of visits to the office management but he was humiliated and ultimately he served a demand notice dated 26-11-2002 to the management for re-calling of Order dated 16-11-2002, but as the management was re-calling of Order dated 16-11-2002, but as the management was pre-planned and vindictive, they did not even bother to reply the said demand notice leaving noscope for the Applicant/Workman and thus under compelling circumstances he had to knock and take recourse of law and thus initiated the conciliation proceedings before the Conciliation Officer, Central Government at Curzon Road, New Delhi. Because of adamant approach of the management, the conciliation proceeding ended up in failure vide the failure report dated 8-1-2004.

That to what it has been canvassed, it would make it vividly clear that even on the face of admitted position of fact and documents with the management showing his date of birth to be 26-7-1947, the vindictive approach of the management in prematurely retiring taking his date of birth to be 26-7-41 is by no means justifiable and is thus liable to be quashed by this Hon'ble Court so as to instill a feeling of complacency in the mind of the Workman on hand and check and curtail arbitrariness on the part of the Management.

That the conduct of the management has hurt the heart and mind of the Applicant/Workman as he has been pin pointed and victimized for no fault on his behalf he has been made a escape goat to satisfy the whims and fancies of higher officers.

That there is no reason as to why the order dated 16-11-2002 be not recalled and the Applicant/Workman be compensated adequately by installing him back in service granting him all consequential benefits including full back wages and continuity of services.

The Management has filed written statement. In the written statment it has been stated that the present alleged industrial dispute is not maintainable under Section 2 (A) of the Industrial Disputes Act, 1947 for the reason that the present alleged industrial dispute is neither a case of termination, retrenchment nor a case of discharged or dismissal. The present case is a simple case of retirement on attaining the age of superannuation. Therefore, the present alleged dispute is liable to be rejected without any further proceedings.

That the present alleged industrial dispute is not maintainable for the reason that in accordance with clause 18 of the Service contract effective from 1-1-2002, the

workman was re-appointed on attaining the age of retirement in accordance with old contract and date of birth available with the management supplied by the workman at the time of joining services with the management and it a workman joins the management after the age of superannuation and if his services are dispense with, in such circumstances dispute raise by him is not maintainable.

That the present alleged industrial dispute is not maintainable before this Hon'ble Court for the reason that the workman is gainfully employed.

The workman has to put strict proof of his averment and assertion in this corresponding para. It is submitted that the workman has been retired form his services on the basis of record available with the management, which was supplied by the workman at the time of joining the services with the management.

It is specifically denied that the workman joined the management on 4-10-1973. The workman has to put strict proof of his averment and assertion in this corresponding para.

It is submitted that the same have been asked by the management to re-verify the date of birth given by the workman at the time of joining the mangement so that the management should not commit any kind of mistake. But the workman failed to supply the same and in the circumstances, the management had no other option but to reply on the date of birth of the workman which he had submitted to the management at the time of joining and accordingly, he has been retired on attaining the age of superannuation. As far as the bonus to the workmen is concerned, the workman is categorically informed that Bonus is payable only those workmen who are drawing upto Rs. 3,500/- per month as wages. The workman was further informed that as he is drawing much more than Rs. 3,500/- per month as wages therefore, he is not entitled for bonus in accordance with the provisions of Payment of Bonus Act, 1965. Further, the workman will have to put strict proof of his averment and assertion in this corresponding para.

It is once again reiterated that the workman had been retired on attaining the age of superannuation on the basis of the documents, which has been supplied by the workman at the time of joining his services with the management. He has been asked to supply copy of school leaving certificate and or matriculation certificate which he failed to do so. Therefore, the management had no other option but to accept the date of birth, which he had supplied, to the management at the time he joined his services with the management. The contents of rest of the pare are wrong, contrary to the facts and hence denied. The workman has to put strict proof of his averment and assertion in this corresponding para.

The workman applicant has filed rejoinder. In his rejoinder he has reiterated the averments of his claim

statement and has denied most of the paras of the written statement. The management has also denied most of the paras of the claim statement.

Evidence of both the parties has been taken.

Heard arguments from both the sides and perused the papers on the record.

It was submitted from the side of the workman that the date of birth of the workman is 26-07-1947. It is exclusively clear from the Identity Card issued by the management and photocopy of Driving Licence. It is also clear from the Passport and date of employment maintained by the management. The workman was retired pre-maturely on 16-11-2002 illegally and with malafide intentions, thus the management has victimized him with ulterior motives. According to the management the Date of Birth of the workman is 26-07-1941 and not 26-07-1947 as alleged by the management.

It was submitted from the side of the management that this industrial dispute is not maintainable under section 2(a) of the ID Act, 1947 as it is neither a case of termination nor retrenchment nor a case of discharge or dismissal. This case is maintainable as it is regarding employment or non-employment of a workman. It is an industrial dispute. This contention is not sustainable.

It was further submitted from the side of the management that in accordance with Clause-18 of the Service Contract effective from 01-01-2002 the workman was re-appointed on attaining the age of retirement in accordance with old contract and Date of Birth available with the management supplied by the workman at the time of joining service with the management. He has been superannuated so the dispute raised by him is not maintainable. This argument is misconceived. The case of the workman is that he has been pre-maturely retired out of ill-will and malafide intentions.

The management has filed original application of the workman dated 4th October 1973. It has been signed by the workman and it is admitted to both the parties. In this application the workman has specifically stated that he is 30 years old. In the application for seeking appointment date of birth has not been given but the date of application is 04-10-1973.

The workman applicant has filed Identity Card issued by the management. In this Identity Card the date of birth has been mentioned as 26-07-1947. The management has not denied the genuineness of this Identity Card. It has been signed by the issuing authority. This paper confirms the date of birth of the deceased workman as 26-07-1947.

The workman has filed photocopy of his Driving Licence paper No.B-13. In this Driving Licence also the date of birth of the workman applicant has been mentioned as 26-07-1947. The workman has further filed photocopy of passport B-14. In this also the date of birth of the workman

applicant is 26-07-1947. These are photocopies but these documents have not been specifically denied by the management so these documents shall be deemed proved in the light of the affidavit of the legal heir of the workman. These three documents alone are sufficient to establish the fact that the date of birth of the workman is 26-07-1947. The Passport is an unrefutable proof of date of birth and address.

The workman applicant has filed photocopy of Voter Identity Card. His date of birth has been specifically mentioned as 26-07-1947. He has filed photocopy of data of employment. In this paper also his date of birth has been mentioned as 26-07-1947. These photocopies have not been denied so it is admissible in evidence and in the data of employee the management has entered his date of birth as 26-07-1947. The legal heir of the workman has filed his date of birth. The date of death of the workman is 09-09-2004. Paper No.44 is photocopy of form No.2 nomination and declaration form of the workman. It has been signed by the Manager, Administrative of the respondents. This declaration form bears the date 18-03-1997. The respondents have not denied this paper. This paper is photocopy of nomination and declaration form.

The workman cannot be presumed to have the original of nomination and declaration form. It must be with the management. The management has not produced the original document. This document bears the signature of the management as well as the Administrative Manager. This is an authentic document and it is declaration by an employee and it has been accepted by the management. The date of birth mentioned in this declaration form is 26-07-1947. This declaration form confirms that the date of birth of the workman is 26-07-1947 as the declaration form has been accepted by the management by giving him a certificate. The management has certified that the declaration form is correct.

It was further submitted from the side of the workman that the management was adamant to remove the workman so the management got a service contract signed by the workman. In this service contract it has been mentioned that he has been appointed on contractual basis for a specific period of one year on monthly salary as per annexure w.e.f. 01-01-2002. The terms and conditions of his fresh appointment has been stipulated in this contract of service. This document establishes the fact that the management was pre-determined to remove the workman so they got a service contract signed by the workman and by that service contract a regular employee who has been admittedly working from 1976 has been given temporary appointment of one year. This service contract discloses the malafide intention of the management. The management has already decided to do away with the services of the workman so a fresh contract of service was got signed from the workman. This document of contract of service

has been illegally obtained by the respondents/management to remove the workman by hook or crook.

Paper No. B-66 is also a service contract. This is photocopy but it has not been denied by the management so this document in view of the affidavit of the workman shall be deemed to be proved. It has been signed by the Manager, Administrative, Delhi. This also bears the signature of the workman. This document is regarding the initial contract of service in the year 1976. So the workman was given employment in 1976 and the management entered into contract with him. The management has annexed B-71 with this paper. In this document the date of the workman has been mentioned as 26-7-1941 but this document has not been signed either by the workman or the Manager whereas service of contract has been signed by the Manager as well the workman. It appears that the management has forged this document. It doesn't bear the signature of the workman or the date of its issue so this cannot be data of the employee. Paper No. B-73 is appointment letter dated 12-11-1974. The workman has been appointed from 4-10-1973 as Driver-cum-Mechanic. So the date of appointment of the workman as Driver-cum-Mechanic is 4th October 1973.

The declaration for B-44 has been signed by the management and the workman. Its date is 18-3-1997 and the date of birth of the workman has been specifically mentioned in this declaration form. The management has not disputed this document. So according to the own admission of the management the date of birth of the workman is 26-7-1947. This date of birth gets further confirmation from the Driving Licence and Voter Identity Card and other papers filed by the workman.

Paper No. B-71 has been forged by the management as it doesn't contain the signature of the workman. In the circumstances declaration form-2 will prevail as it is agreement between the workman and the management has accepted the declaration and nomination furnished by the workman. The management has not filed any other paper to show that date of birth of the workman was 26-7-1941.

It has been stated above the management with malafide intention got afresh service contract signed by the workman, paper No. B-63 and gave him a fresh appointment for one year. This workman has been working since 1973 so there was no question of getting another service contract signed by the workman mentioned in therein that he has been given appointment for a specific period of one year. This document abundantly discloses the malafide intention of the management. The workman has proved by cogent reasons that his date of birth is 26-7-1947 vide various documents and admitted papers of the management. The management has not produced any original record or his application to prove that the date of birth of the workman is 26-7-1941 and not 26-7-1947.

The workman applicant has proved his date of birth to be 26-7-1947 by his Driving Licence by his Passport by his Identity Card issued by the concerned department by his Voter Identity Card and even by declaration for No. 2. Thus, it is proved beyond any ray of doubt that the date of birth of the workman is 26-7-1947.

The management/respondent has placed reliance on (2005) 6 SCC 49. This case law is not applicable to the management rather it helps the workman. The management/respondent has admitted that the date of birth of the workman in service record is 26-7-1947. The management has changed the date of birth of the workman without any evidence worth the name. The workman on the other hand has proved by irrefutable evidence that his date of birth is 26-7-1947. He has filed cogent documents just as Passport, Driving Licence, Voter Identity Card, Identity Card of the management and Declaration Form No. 2. So in the instant case the management has denied the previously recorded date of birth as 26-7-1947. The management/respondent has retired the workman pre-maturely, illegally and with malafide intentions. This case law is favourable to the case of the workman.

The management has retired him pre-maturely with malafide intentions.

It was further submitted from the side of the workman that he expired on 9-9-2004. And he not been illegally pre-maturely retired he would have continued in service up to 26-7-2007. He died on 9-9-2004 so at least he would have worked up to 09-09-2004. His legal heir is entitled to get the entire emoluments from the date of his pre-mature retirement till the date of his death 9-9-2004. She is entitled to get all the emoluments from 18-11-2002 to 9-9-2004. His legal heir is also entitled to get compensation from the management as he met an early death because of sufferings caused by the management to the workman by illegal pre-mature retirement. The workman is deceased so his legal heir is entitled to get a sum of Rs. 6 lacs (emoluments) which the workman would have received plus compensation amount for retiring him prematurely illegally.

**The reference is replied thus :**

The action of the management of M/s. Aeroflot in pre-maturely retiring the workman on 18-11-2002 taking his date of birth as 26-7-1941 at the place of 26-7-1947 is neither just nor legal. The legal heir (Smt. Jasodha Devi) of the deceased workman is entitled to get a sum of Rs. 6,00,000 (Rs. Six Lacs) from the management by way of wages, which the workman would have earned plus compensation within two months from the date of publication of the award. In case of default the workman applicant will be entitled to get 10% interest on the entire amount.

Award is given accordingly.

Date: 09-06-2006.

R. N. RAI, Presiding Officer

नई दिल्ली, 15 जून, 2006

**कल. अ. 2632.**—औद्योगिक विवाद अधिनियम, 1947 (1947 का 14) की धारा 17 के अनुसरण में, केन्द्रीय सरकार एअर इंडिया के प्रबंधन के संबंध नियोजकों और उनके कर्मचारों के बीच, अनुबंध में निर्दिष्ट औद्योगिक विवाद में केन्द्रीय सरकार औद्योगिक अधिकरण/श्रम न्यायालय नई दिल्ली-1 के पंचाट (संदर्भ संख्या 97/2000) को प्रकट करती है, जो केन्द्रीय सरकार को 13-6-2006 को प्राप्त हुआ था।

[सं. एल-11012/69/2000-आई आर (सी-1)]

एस. एस. गुप्ता, अवर सचिव

New Delhi, the 15th June, 2006

**S.O. 2632.**—In pursuance of Section 17 of the Industrial Disputes Act, 1947 (14 of 1947), the Central Government hereby publishes the award (Ref. No. 97/2000) of the Central Government Industrial Tribunal/Labour Court New Delhi-1 now as shown in the Annexure in the Industrial Dispute between the employers in relation to the management of Air India and their workman, which was received by the Central Government on 13-6-2006.

[No.L-11012/69/2000-IR(C-1)]

S. S. GUPTA, Under Secy.

#### ANNEXURE

#### BEFORE SHRI SANT SINGH BAL, PRESIDING OFFICER CENTRAL GOVERNMENT INDUSTRIAL TRIBUNAL-CUM-LABOUR COURT NO. 1 NEW DELHI

I. D. No. 97/2000

In the matter of dispute between:

Shri Vijay Kumar S/o Shri Rajpal Singhe,  
R/o Y -724, Mangol Puri,  
New Delhi.

...Workman

*Versus*

The Managing Director,  
Air India,  
Rajiv Gandhi Bhawan,  
Arvindo Marg,  
Safdarjung Airport,  
New Delhi.

...Management

**APPEARANCES:** Workman in person with Sh. Vijender  
Singh Advocate.

Shri V.P. Gaur A/R for the management.

#### AWARD

The Central Government in the Ministry of Labour vide its Order No. L 11012/69/2000 (C-1) dated 29-8-2000 has referred the following industrial dispute to this Tribunal for adjudication :

“Whether the action of the Managing Director Air India Rajiv Gandhi Bhawan Aurbindo Marg, Safdarjang Airport New Delhi in verbally stopping Shri Vijay Kumar Casual worker from service w.e.f. 30-5-97 on the basis of Medical Certificate of

company's Medical Officer dated 3-7-1996 instead of regularising him in service is justified, valid and reasonable?”

2. Brief facts of this case as culled from record are that he (the workman) was appointed as casual labour with the respondent Air India w.e.f. 20.9.87 and worked up to May, 97 and thus put in for about 10 years casual service and his services were continued by giving him breaks for five days after completion of 85 days service and thereafter 65 days break after 30 days work during the period of break work performed by him was done by another set of casual labourers in respect of whom also the management continued the same practice of engaging them for some time and giving a break etc. Workman discharged his duties in different capacities such as Peon, cleaner and loader. The work performed by him are of permanent and perennial nature as his evidence from these facts. Though the respondent has been employing casual labourers by changing their duties. Thus the respondent adopted unfair labour practice of giving breaks which is unconstitutional and illegal. Some similarly situated casual workers being heavily aggrieved by their exploitation moved the courts of law during 1980 as a result of which respondent formulated scheme of regularization and some of the casual workers were regularized. However that scheme was abandoned and management started exploiting the casual labour.

3. Workman along with his colleagues approached the Hon'ble High Court seeking their regularization and the High Court while issuing notice on 25-5-95 directed the management not to terminate the services of the workman. The High Court after hearing the parties directed the respondent to expedite the process of regularization and not to terminate the services of the casual labourers in the meantime. In terms of the direction of the High Court the workman and other casual labourers were directed to appear for pre-employment medical examination. Even the workman herein was subjected to medical examination for the post of peon/loader/cleaner. His medical examination was conducted in order to regularize his services workman and on conducting his medical examination he was informed that he is found unfit for service and his services were illegally terminated without even furnishing the copy of the report/medical fitness certificate submitted by the doctor who conducted the medical examination. The workman-claimant has impugned the action of the management in terminating his services He has further stated that he received an injury near his right eye during the course of employment while he was loading a baggage in the flight, and he discharged his duties even after the above said accident without giving room to the management to raise complaints against the workman. He also got treated his eye after the above said injury and got perfectly alright. His services were illegally terminated orally after the workman again approached the management and management asked him to furnish medical fitness certificate. The workman having lost his hope to get job with the

management underwent a surgery to his eyes and he took necessary medical treatment. After being fully cured, the workman once again approached the management for service. The workman further got himself checked up with another doctor of All India Institute of Medical Sciences who also found the workman fit for all kinds of work. Copies of the said certificates have been filed. Workman was even assured by some of the official that he would be taken into service after he became medically fit. However, although the workman undergone surgery to his eyes and being fully fit when he approached the respondent his request to absorb him for his services was turned down by the management. Hence, the workman filed a claim before the Labour Commissioner for conciliation proceedings seeking reinstatement and regularization of his service wherein the conciliation proceedings resulted in failure and ultimately resulted in the dispute giving rise to the present proceedings. The workman has challenged his termination as illegal and has thus claimed declaration that he is permanent employee from the initial date of his appointment and is entitled to be posted and regularized on suitable post and all consequential benefits including the arrears of pay.

4. The management disputed the claim of the workman claimant by filing written statement stating that his candidature for the post of Loader/ cleaner/ handyman (Safai)/handyman/peon was considered for employment on regular basis on the lines of the scheme submitted by the management and approved by Central Government Industrial Tribunal (CGIT) vide Award dated 4.3.91 and further upheld by Hon'ble Supreme Court. According to the said scheme pre-employment medical examination of the candidate was one of the conditions under the above scheme and that he was also asked to furnish attested copies of his original certificates about academic qualifications, date of birth, S. T./S. C. category certificate in connection with the candidature for the said post and he was referred to Air India Medical Officer for medical examination and he was declared medically unfit as per the pre-employment medical examination report dated 3-7-96 and accordingly his candidature could not be considered any further. It is further stated that comparative table showing the medical standards of Air India in respect of vision viz-a-viz the vision of Shri Vijay Kumar at the time of pre-employment medical fitness as per medical examination have been mentioned in the written statement for the above said post and he has been treated at par with other casuals. All the casuals who were found medically fit have been regularized and he did not fulfil the required medical standard for fitness as per rules as mentioned and that he was having defected vision of right eye as such he was rejected.

5. On merits, it is stated that management formulated scheme for regularization of casual worker which was approved by C.G.I.T. vide its award dated 4-3-91 and further upheld by the Hon'ble Supreme Court. As per the award, casuals would be regularized as per the company's recruitment procedure, including, interviews, pre-employment medical examination, verification of character

antecedents by the police authorities etc. in accordance with the recruitment procedure. Mr. Vijay Kumar along with others was also considered for regularization in the management and was accordingly subjected to pre-employment medical examination for the posts of loader/cleaner/handyman (safai)/handyman/peon but he was declared medically unfit by the Medical Officer of the management in July, 96 for above post and accordingly his candidature was not considered any further. The management regularized all the casuals under the scheme except the few casuals who were found medically unfit along with Mr. Vijay Kumar. He continued working as a casual labour along with similarly placed casuals till the process of regularization was completed in accordance with the scheme. However, his services were terminated as he did not possess minimum vision for even the post of peon as mentioned in medical standard of the management. It is also denied that Vijay Kumar has suffered injury during the course of employment or discharged his duties without any complaint and he used to remain absent from duty without prior intimation. However, he tendered apology and was taken back on duty. His services were not terminated illegally as claimed but were terminated legally vide letter dated 30-5-97 for he did not possess minimum vision for purpose of considering his candidature for regularization. It is also denied that the management asked him to furnish medical fitness certificate and he was declared medically fit by medical officer Dr. R.P. Sachdeva for the Post of Peon nor he (Dr. Sachdeva) was authorized to make comment in this behalf, therefore endorsement by him could not have any significance. After the services of Shri Vijay Kumar were dispensed with, he made various representations to the management on the basis of some forged documents which bore the signature and stamp of one Dr. Vivek Dal on the letterhead of the management. It is denied that the services of the workman has been terminated illegally or some discrimination has been meted out to him as claimed. He was declared unfit vide certificate dated 3-7-96. It is denied that he was medically fit. Medical Officer of Respondent Air India is the final authority for deciding medical fitness of the employees.

6. Written statement was followed by rejoinder wherein the facts mentioned in the claim statement were reiterated to be correct and controversial part/pleas of the written statement were denied as wrong.

7. After completion of the pleadings both the parties adduced evidence. Workman examined himself as WW1 26-7-04 and management examined Shri G. S. Khalsa as MW1. on 3-1-05.

8. Thereafter arguments were addressed by A/R for the workman Shri Vijender Singh and Shri V.P. Gaur on behalf of the management.

9. The question which arises for determination in this case are :

1. Whether the workman claimant is medically unfit to perform the job of peon.
2. As in terms of reference.

10. It is admitted case that a scheme for regularization of the workers of the respondent was approved by award dated 3-4-91 C.G.I.T. and the same award was upheld and also received the approval and the award was upheld by the Supreme Court and in pursuance to that scheme of regularization some of the casual workers were regularized. The claimant was also considered for regularization by the respondent management but he could not be regularized because he was found medically unfit as vision of his one eye has been short and not in accordance with the medical examination standard followed by the doctors of the respondent. Thus the management claims that workman/claimant was unfit to be retained in service as casual peon as his vision was short and he was declared unfit by Dr. R. Chaudhary authorized doctor of the respondent vide medical certificate dated 3-7-96 Ex. WWI/B. On the contrary workman has also filed medical certificate Ex. WWI/D by Dr. Sachdeva of Air India who opined that he can do the job of peon i.e. According to him claimant was fit to do the job of peon. On the other hand Management claimed that as per Revised and updated pre-employment medical examination standards 1987 workman's vision was short being 6/18 with specs and he was medically unfit due to defective vision of right eye whereas his vision should have been 6/9 with specs. The said medical standards compiled in a booklet contains a FOREWORD at page (i) which is mentioned as under :

#### FOREWORD

Modern medicine, a fast advancing field now moves even more swiftly because of the rapid technological advances. The pre-employment medical examination standards, based on this knowledge, thus require to be updated from time to time. This is also necessary to accommodate changes in the Corporations regulations and practices and creation of new categories of posts.

The pre-employment standards have evolved over the years to their present level of completeness and thoroughness. This is a compilation in concise form of these standards incorporating the various amendments and addition since the first set of standards were formalized.

For reasons stated above, one of the virtues of this book is that, it cannot be final and yet is indispensable. We hope that the present guidelines for disposal would make their comprehension and practice/implementation easier.

Sd/-

(Dr. Vijai Kumar)

M.D.M.R.C.P. (LON) 1.

11. It is apparent from the concluding lines in para 3 of above foreword that the opinion about the fitness of a person as per the said standards is not final. Moreover it is admitted case that R.P Sachdeva is the doctor on the panel of Air India but the management claims that he was

not authorized to give opinion about the medical fitness of the claimant of any employee of the management. Ex. MW 1/A mentions that the workman's candidature for the post of Loader/Cleaner and Handyman(Safai)/ Handyman/Peon was considered for employment on regular basis on the lines of the scheme submitted by the management .....and approved by C.G.I.T., Delhi vide award dated 4-3-91. From this averment in Ex.MW 1/A it can safely be said that the workman was required to do the job of Peon/ Handyman/Safai and Handyman/Loader. According to Ex. WWI/D Medical Certificate relied upon by the workman he is capable of performing the job of Peon. A handicapped person even one eyed or having a defective vision in one eye is capable of performing duty of peon. He is not to read and to study or to job of aiming etc. etc. Thus the workman cannot be declared medically unfit in view of the above REVISED AND UPDATED PRE-EMPLOYMENT MEDICAL EXAMINATION STANDARDS 1987 and on the basis of the Medical Certificate issued by Dr. R. Chaudhary in my view he is quiet capable of doing the job of Peon, therefore, the action of the management in stopping him from duty on the ground of being medically unfit for having defective vision of his right eye is not justified and is legal.

12. Mr. Gaur has also contended that there is no violation of the provisions contained in Section 25 F read with section 10 of the I.D. Act as claimed by the workman because his termination on the ground of medical unfitness does not amount to retrenchment. He has referred to the decision reported in AIR 1968 S.C. Page 529 captioned as Sindhu Resettlement Corporation Ltd. Vs. Industrial Tribunal of Gujarat and Others and AIR 2002 Supreme Court 1147 captioned as Range Forest Officer Vs. S.T. Hadimani. This plea/contention of the workman is not tenable in the instant case and as such above decisions are not applicable. The question to be considered in this case is whether the workman was medically fit or unfit entitled to be regularized (retained) in the job of Peon/Loader/Cleaner/ Handyman(Safai )/Handyman as per above mentioned approved scheme of the respondent management.

13. In view of the above discussions I am of the opinion that the action of the management in verbally stopping the workman from service w.e.f. 30-5-97 on the basis of medical certificate of company's medical officer dated 3-7-1996 instead of regularizing him in service on the ground that he was not medically fit to perform duty of peon is not correct, justified and legal and therefore, he is entitled to be retained in service. Reference is answered accordingly and award is thus passed.

Further it is ordered that the requisite number of copies of this award may be forwarded to the Central Government for necessary action at their end.

S. S. BAL, Presiding Officer

Dated : 1-6-2006

नई दिल्ली, 15 जून, 2006

का. आ. 2633.—औद्योगिक विवाद अधिनियम, 1947 (1947 का 14) की धारा 17 के अनुसरण में, केन्द्रीय सरकार, भा.को.को.लि. के प्रबंधन के संबद्ध नियोजकों और उनके कर्मचारों के बीच, अनुबंध में निर्दिष्ट औद्योगिक विवाद में केन्द्रीय सरकार औद्योगिक अधिकरण/श्रम न्यायालय, धनबाद-II के पंचाट (संदर्भ संख्या 158/2000) को प्रकाशित करती है, जो केन्द्रीय सरकार को 14-6-2006 को प्राप्त हुआ था। -

[सं. एल-20012/282/2000-आई आर (सी-1)]

एस. एस. गुप्ता, अवर सचिव

New Delhi, the 15th June, 2006

S.O. 2633.—In pursuance of Section 17 of the Industrial Disputes Act, 1947 (14 of 1947), the Central Government hereby publishes the award (Ref. No. 158/2000) of the Central Government Industrial Tribunal/Labour Court, Dhanbad-II now as shown in the Annexure in the Industrial Dispute between the employers in relation to the management of BCCL and their workman, which was received by the Central Government on 14-6-2006.

[No. L-20012/282/2000-IR(C-1)]

S. S. GUPTA, Under Secy.

#### ANNEXURE

#### BEFORE THE CENTRAL GOVERNMENT INDUSTRIAL TRIBUNAL (NO. 2) AT DHANBAD

#### PRESENT:

Shri B. Biswas, Presiding Officer

In the matter of an Industrial Dispute under Section  
10(1)(d) of the I.D. Act, 1947

Reference No. 158 of 2000

**PARTIES:** Employers in relation to the management of  
C.V. Area No. 12 of M/s B.C.C.L.

#### APPEARANCES:

On behalf of the Workman : Mr. B.M. Prasad, Ld.  
Advocate

On behalf of the Employers : Mr. S.N. Sinha, Ld.  
Advocate

State : Jharkhand Industry : Coal

Dhanbad, Dated : the 23rd May, 2006

#### AWARD

The Government of India, Ministry of Labour in exercise of the powers conferred on them under Section 10(1)(d) of the I.D. Act, 1947 has referred the following dispute to this Tribunal for adjudication vide their Order No. L-20012/282/2000 (C-1) dated the 25th October, 2000.

#### SCHEDULE

"Whether the failure of the management of Basantimata Colliery of M/s BCCL to provide

employment to the daughter of the deceased employee late Jitan Manjhi is justified? If not, to what relief is the said dependant of Late Jitan Manjhi entitled?"

2. The case of the petitioner/workman according to written statement submitted by the sponsoring union on her behalf in brief is as follows :

The sponsoring union submitted that Late Jitan Manjhi was a permanent employee at Basantimata Colliery. While in service he died on 8-9-1995 leaving behind his widow and children. Accordingly, after the death of Jitan Manjhi her daughter submitted representation on 12-12-95 to the management for her employment on compassionate ground as per provision of N.C.W.A. but management refused to provide her any employment and communicated their decision vide letter No. BM/Agent/98/20 dt. 8/9-1-1998 without assigning any cogent reason which led her to raise Industrial Dispute.

The sponsoring union accordingly submitted prayer to pass award directing the management to provide employment to the daughter of the deceased worker on compassionate ground as per provision of N.C.W.A.

3. Management on the contrary after filing written statement cum rejoinder have denied all the claims and allegations which the sponsoring union asserted in the written statement submitted on behalf of the petitioner/workman. They submitted that the petitioner was the daughter of the second wife of the deceased worker. They submitted that Smt. Amodi Manjhi is the first wife/widow of the deceased worker and is working as wagon loader at N.L.O.C.P under C.V. Area. They submitted that in presence of the 1st wife who is very much on employment under the management as there was no scope to provide employment to the daughter of the second wife of the deceased worker they on cogent ground regretted her such prayer for employment and in doing so they neither committed any illegality nor took any arbitrary decision.

Accordingly, they submitted that the petitioner is not entitled to get any relief and for which her prayer is liable to be rejected.

#### 4. Points to be Decided

"Whether the failure of the management of Basantimata Colliery of M/s. BCCL to provide employment to the daughter of the deceased employer Late Jitan Manjhi is justified? If not, to what relief is the said dependant of Late Jitan Manjhi entitled?"

#### 5. Finding with Reasons

It transpires from the record that the sponsoring union in course of hearing neither appeared nor took any step for adducing evidence with a view to substantiate their claim. Accordingly management declined to adduce any evidence on their part. As neither of the parties adduced any evidence either oral or documentary with a view to substantiate their claim at this stage there is no way out but to answer the reference based on the facts disclosed in the pleadings of both sides.

Considering the facts disclosed in the pleadings there is no dispute to hold that Late Jitan Manjhi was a permanent workman of Basantimata Colliery. He died in harness on 8-9-95. After his death the present petitioner claiming herself to be the daughter of the said deceased worker submitted application to the management for her employment on compassionate ground as per provision of N.C.W.A. but her prayer was rejected by the management. It is the contention of the sponsoring union that management illegally and arbitrarily violating the principle of natural justice rejected that prayer of the widow of the deceased worker.

On the contrary contention of the management according to facts disclosed in their pleading is that the petitioner was the daughter of the second wife of the deceased worker. They disclosed that his first wife Amodi Manjhian as already employed and working as wagon loader at NLOCP under C.V. Area. Question of her employment claiming herself to be daughter of the deceased worker did not arise and for which they did not commit any illegality in rejecting her prayer.

The petitioner in the pleading did not utter a single word if she was daughter of the second wife of the deceased worker. Management on the contrary specifically asserted in their pleading that Amodi Manjhian was the first wife of the deceased worker and still she is working under them as wagon loader. This fact which the management disclosed was not refuted either by the petitioner or by her sponsoring union. It is settled principle of Law that second wife has no entity in the eye of law until and unless it is established that either the first wife is dead or there is no lawful existence of marital ties. Here in the instant case the first wife of the deceased worker is very much on employment. Question of providing employment on compassionate ground comes in if it is found that there is no earning member in the family of the deceased worker to save the existing members from the grip of starvation. Here the picture is quite different. The first wife of the deceased worker is very much on employment. Therefore, question of employment of the petitioner does not arise.

When such allegation has come into existence burden rests on the petitioner to deny such claim of the management. It is seen that in spite of getting ample opportunity the sponsoring union has failed to adduce any cogent evidence challenging such claim of the management. It is to be taken into consideration that facts disclosed in the pleading cannot be considered as substantive piece of evidence until and unless the same is substantiated by cogent evidence. Here in the instant case the sponsoring union just by submitting their written statement have finished their duties. They did not consider necessary to adduce cogent evidence to substantiate their claim.

Accordingly, just based on the facts disclosed in the pleading I find no scope to uphold the contention of the sponsoring union particularly when management have brought specific allegation that the petitioner is the daughter of the second wife of the deceased worker and his first wife is very much working under the management as wagon loader.

In such circumstances, there is no scope to arrive into conclusion that management illegally and arbitrarily violating the principle of natural justice rejected the prayer of the petitioner for her employment on compassionate ground as per provision of N.C.W.A. and for which she is not entitled to get any relief.

In the result the following award is rendered :

"That failure of the management of Basantimata Colliery of M/s. BCCL to provide employment to the daughter of the deceased employee Late Jitan Manjhi is justified. Consequently the petitioner is not entitled to get any relief."

B. BISWAS, Presiding Officer

नई दिल्ली, 15 जून, 2006

का.अ. 2634.—औद्योगिक विवाद अधिनियम, 1947 (1947 का 14) की धारा 17 के अनुसरण में, केन्द्रीय सरकार का.को.को.लि. के प्रबंधन के संबद्ध नियोजकों और उनके कर्मचारों के बीच, अनुबंध में निर्दिष्ट औद्योगिक विवाद में केन्द्रीय सरकार औद्योगिक अधिकरण/श्रम न्यायालय, धनबाद-II के पंचाट (संदर्भ संख्या 52/2005) को प्रकटित करती है, जो केन्द्रीय सरकार को 14-6-2006 को प्राप्त हुआ था।

[सं. एल-20012/84/2004-आई आर (सी-I)]

एस. एस. गुप्ता, अवर सचिव

New Delhi, the 15th June, 2006

S.O. 2634.—In pursuance of Section 17 of the Industrial Disputes Act, 1947 (14 of 1947), the Central Government hereby publishes the award (Ref. No. 52/2005) of the Central Government Industrial Tribunal/Labour Court, Dhanbad-II now as shown in the Annexure in the Industrial Dispute between the employers in relation to the management of BCCL and their workman, which was received by the Central Government on 14-6-2006.

[No. L-20012/84/2004-IR(C-I)]

S. S. GUPTA, Under Secy.

#### ANNEXURE

#### BEFORE THE CENTRAL GOVERNMENT INDUSTRIAL TRIBUNAL (NO. 2) AT DHANBAD

#### PRESENT :

Shri B. Biswas, Presiding Officer

In the matter of an Industrial Dispute under Section 10(1)(d) of the I.D. Act, 1947.

#### Reference No. 52 of 2005

**Parties :** Employers in relation to the management of Bera Colliery, Bastacolla Area of M/s. BCCL and their workman.

**Appearances:**

On behalf of the Workman : None

On behalf of the employers : Mr. U.N. Lal, Advocate.

State : Jharkhand Industry : Coal.

Dhanbad, dated the 23rd May, 2006

**AWARD**

The Government of India, Ministry of Labour, in exercise of the powers conferred on them under Section 10(1)(d) of the I.D. Act, 1947 has referred the following dispute to this Tribunal for adjudication *vide* their Order No. L-20012/84/2004-IR(C-I) dated the 13th May, 2005.

**SCHEDULE**

"Whether the action of the management of Bera Colliery under Bastacolla Area of M/s. BCCL, P.O. Jhari Distt. Dhanbad in not accepting the application of Smt. Jasoda Devi, Wagon Loader under PL (Female) Scheme and not providing employment to her dependent son is proper and justified? If not, to what relief is the said dependent entitled?"

2. In this reference neither the concerned workman nor his representative appeared before this Tribunal. Management, however, made appearance through their authorised representative. It transpires from the record that registered notices and show cause notice were issued to the concerned workman/sponsoring union for causing appearance and filing Written Statement. In terms of Rule 10(B) of the I.D. Central Rules, 1957 it is mandatory on the part of the concerned workman to file statement of Claim complete with relevant documents, list of reliances and witnesses within 15 days from the date of receipt of the order of reference. The concerned workman/sponsoring union not only violated the above rules but also even did not consider necessary to respond to the notices issued by this Tribunal. Gesture of the workman/sponsoring union if is taken into consideration will expose clearly that they are not interested to proceed with the hearing of the case. Under such circumstances, this Tribunal also finds no ground to adjourn the case suo moto for days together. Hence, the case is closed and accordingly a 'No dispute' Award is passed in this reference presuming non-existence of any industrial dispute between the parties.

B. BISWAS, Presiding Officer

नई दिल्ली, 15 जून, 2006

**क्र.अ. 2635.**—औद्योगिक विवाद अधिनियम, 1947 (1947 का 14) की धारा 17 के अनुसरण में, केन्द्रीय सरकार इलाहाबाद बैंक के प्रबंधन के संघर्ष निबोधकों और उनके कर्मचारों के बीच, अनुबंध में निर्दिष्ट औद्योगिक विवाद में केन्द्रीय सरकार औद्योगिक अधिकरण/श्रम न्यायालय, नं. 2, नई दिल्ली के पंजाब (संदर्भ संख्या 38/2005) को प्रकाशित करती है, जो केन्द्रीय सरकार को 14-6-2006 को प्राप्त हुआ था।

[सं. एल-12011/2/2005-आई आर (बी-II)]

बी. एम. डेविड, अवर सचिव

New Delhi, the 15th June, 2006

**S.O. 2635.**—In pursuance of Section 17 of the Industrial Disputes Act, 1947 (14 of 1947), the Central Government hereby publishes the award (Ref. No. 38/2005) of the Central Government Industrial Tribunal-cum-Labour Court No. 2, New Delhi as shown in the Annexure in the Industrial Dispute between the employers in relation to the management of Allahabad Bank and their workman, which was received by the Central Government on 14-6-2006.

[No. L-12011/2/2005-IR(B-II)]

B. M. DAVID, Under Secy.

**ANNEXURE**

**BEFORE THE PRESIDING OFFICER: CENTRAL GOVERNMENT INDUSTRIAL TRIBUNAL-CUM-LABOUR COURT-II, RAJENDRA BHAWAN, GROUND FLOOR, RAJENDRA PLACE, NEW DELHI**

I.D. No. 38/2005

Presiding Officer: R.N. Rai.

In the Matter of:—

Shri R.S. Saini,

C/o The General Secretary,

~~All India~~ Allahabad Bank Employees Association.C/o ~~All India~~ Allahabad Bank,

Anand Lok Branch,

New Delhi-110001.

Versus

The General Manager,

Allahabad Bank,

17, Parliament Street,

New Delhi-110001.

**AWARD**

The Ministry of Labour by its letter No. L-12011/2/2005-IR(B-II) Central Government Dtd. 25-4-2005 has referred the following point for adjudication.

The point runs as hereunder:—

"Whether the action taken by the management of Allahabad Bank in imposing two penalties on Shri R.S. Saini, Ex. Special Assistant *vide* Order No. RO/ND/PERS/1431 dated 29-11-2001 and No. RO/ND/PERS/1432 dated 29-11-2001 is just, fair and legal? If so, to what relief the workman is entitled and from which date."

The workman applicant has filed claim statement. In the claim statement it has been stated that the workman was employed as Clerk in 1974 and lastly posted as special assistant in Baroda House Branch of the bank since 1994 till his retirement on 29-11-2001 after attaining superannuation and during the relevant period of his service he was holding the post of President/General Secretary of his union's All India Body and still continue to hold and senior citizen by virtue of his age.

The Bank issued two charge sheet bearing No. RO/ND/PERS/1001 dated 13-02-1999 and No. RO/ND/PERS/61/488 dated 14-06-1999 on two different allegations and on different occasions concerning Regional Office, Karol Bagh, New Delhi and Baroda House Branch, New Delhi due to sheer vengeance because of trade union activities and under rival union influence. The charge sheet dated 13-02-1999 was concerning Regional Office, Karol Bagh, New Delhi regarding alleged incident to protest the illegal suspension of one Shri A. S. Arora on 30-12-1998 being our member and to meet the regional manager Shri Gogia in deputation through intimation in advance being illegal suspension which was later unconditionally withdrawn by the bank. In the instant alleged incident of 30-12-1998 about 15 employees were given charge sheet but others were given warning and the workman being trade union leader and All India General Secretary was victimized and penalised illegally, discriminatorily and arbitrarily because of his trade union activities by lowering down of basis pay by two stage in the allegations of Regional Office and one stage down in the alleged allegations of Baroda House Branch, New Delhi. The Bank filed FIR in both the cases with the Karol Bagh and Tilak Marg Police Station, New Delhi which were closed with no substance. The Bank also filed a civil suit in 1999 in Tis Hazari Court about the incident of Regional Office and also filed complaint case at Patiala House Court in the matter of Baroda House Branch, which were also closed later.

That in the second charge dated 14-06-1999 the bank charged for disorderly behaviour on the premises wilful insubordination and disobedience doing an act prejudicial to the interest of the bank and indulging in the act of abetment and instigation and accordingly sought explanation.

That the said charge sheet dated 13-02-1999 was replied by the workman *vide* his representation dated 26-03-1999 and refuting all the allegation and no reply was submitted to the charge sheet dated RO/ND/PERS/61/488 dated 14-06-1999 though and representation dated 21-06-1999 was submitted to Shri Gogia the then disciplinary authority making certain counter charges and mismanagement and favoritism.

That after the said reply dated 26-03-1999 and representation dated 21-06-1999 the concerned Regional Manager, Shri Gogia ordered for inquiry on both the charge sheets and did not think it proper to seek reply to charge sheet dated 14-06-1999.

That two inquiry officers S/Shri V.D. Mathur and P.K. Jain were appointed along with presenting officers to inquire in the matter. And EO/PO were changed from time to time and lastly Shri Amar Singh was appointed E.O. who concluded the inquiry ex-parte without legal sanction.

That many disciplinary authorities and inquiry officers and presenting officers were changed just to see that they toe the line of high up who were in arms against the workman for his trade union activists who used to expose the wrong deeds and corrupt practices and demanded justice at all levels in the matter of staff without

union consideration based on law rules and precedents, as the management was completely in connivance with the rival recognized but unregistered trade union in the bank.

That non of the witnesses have expressly stated based on the documents and merely stated on surmise and conjunctures. That the E.O. has exceeded his limit and did not give proper, fair and reasonable opportunities to the defence based on principles of natural justice and law of the land and acted illegally, arbitrary, biasly, periodically and without content reasons.

That the E.O. concluded both the inquiry proceedings ex-parte abruptly in haste without any further notice to the workman to attend as per the inquiry procedure and principles of natural justice and deprived the workman to take up his defence and contest the inquiry properly and reasonably.

That in the charge sheet dated 14-06-1999 the disciplinary authority proposed punishment order for bringing done one stage in basic pay and in the charge sheet dated 13-02-1999 bringing down two stages in basic pay and both the letters were received by the workman on 29-11-2001 at 1610 hrs in Baroda House Branch issued by the same disciplinary authority.

That in both the proposed punishment order there was no E.O. report enclosed and the said remarks has been given on the receipt copy of the bank that there is no E.O. report and received at 1610 hrs on 29-11-2001. It is mandatory to enclose the E.O. report for information of the workman but the same was not done and the workman was victimized illegally.

That in the said proposed punishment order received on 29-11-2001 at 1610 hrs it was mentioned that personal hearing will take place at 2.30 PM and due to late receipt of the said order at 1610 hrs the personal hearing was also denied, shattering all hope of justice.

That the workman stood relieved on retirement at 1645 hrs at the close of duty hours on 29-11-2001 as per bank's letter received in advance about one month before as 30-11-2001 was holiday.

That the bank issued final punishment in both the charge sheets which were received by the workman at home on 01-12-2001 after retirement by post.

It transpires from perusal of the record that notice to the respondents have been sent twice. He was directed to appear on 20-07-2005 by notice dated 16-05-2005 but the management did not turn up. Again notice by register post was sent on 25-01-2006 for the management to appear on 05-04-2006 but the management has failed to appear. Notices have been sent by registered post. The same have not been received back, so there is presumption of service of notice sent by registered post.

Now written statement has been filed by the management. So the case proceeded ex-parte on 15-04-2006.

Argument of the workman was heard.

The workman has filed affidavit in support of his claim statement. The case of the workman is that the management has illegally imposed two penalties by order dated 19-11-2001 and 29-11-2001. The respondents have not given opportunity to the workman to cross examine the witness. No opportunity has been afforded to the workman to adduce evidence in his defence. The respondents have not followed principles of natural justice. The workman has proved his claim statement by his affidavit. The management has illegally punished the workman by bringing down by two stages in the basic pay in connection with the charge sheet dated 13-02-1999 on 29-11-2001 and bringing down one stage in basic pay by order dated 29-11-2001. The inquiry is not fair. The order dated 29-11-2001 regarding bringing down basic pay by two stages and bringing down one stage in basic pay by order dated 29-11-2001 is set aside. The workman is entitled to get the entire arrears of wages which have accrued due to bringing down basic pay by two stages and by one stage by order dated 29-11-2001. Order dated 29-11-2001 is set aside.

The reference is replied thus:—

The action taken by the management of Allahabad Bank in imposing two penalties on Shri R.S. Saini, Ex. Special Assistant vide order No. RO/ND/PERS/1431 dated 29-11-2001 and No. RO/ND/PERS/1432 dated 29-11-2001 is neither just nor fair nor legal. The workman is entitled to get the entire arrears of full wages as per rules within two months from the date of publication of the award.

Award is given accordingly.

Dated: 07-06-2006

R. N. RAI, Presiding Officer

नई दिल्ली, 15 जून, 2006

का. आ. 2636.—औद्योगिक विवाद अधिनियम, 1947 (1947 का 14) की धारा 17 के अनुसरण में, केन्द्रीय सरकार बैंक ऑफ महाराष्ट्र के प्रबंधन के संबंध नियोजकों और उनके कर्मचारों के बीच, अनुबंध में निर्दिष्ट औद्योगिक विवाद में केन्द्रीय सरकार औद्योगिक अधिकरण/श्रम न्यायालय मुम्बई न.-1 के पंचाट (संदर्भ संख्या 41/2004) को प्रकाशित करती है, जो केन्द्रीय सरकार को 14-6-2006 को प्राप्त हुआ था।

[सं. एल-12012/6/2004-आई आर (बी-II)]

बी. एम. डेविड, अवर सचिव

New Delhi, the 15th June, 2006

S.O. 2636.—In pursuance of Section 17 of the Industrial Disputes Act, 1947 (14 of 1947), the Central Government hereby publishes the award (Ref. No. 41/2004) of the Central Government Industrial Tribunal Tribunal-cum-Labour Court No. 1, Mumbai as shown in the Annexure in the Industrial Dispute between the employers in relation to the management of Bank of Maharashtra and

their workman, which was received by the Central Government on 14-6-2006.

[No. L-12011/6/2004-IR(B-II)]

B. M. DAVID, Under Secy.

#### ANNEXURE

#### BEFORE THE CENTRAL GOVERNMENT INDUSTRIAL TRIBUNAL NO. 1 AT MUMBAI

#### PRESENT

Justice GHANSHYAM DASS

Presiding Officer

Reference No. CGIT-1/41 of 2004

Employers in relation to the management of  
Bank of Maharashtra, Pune

And

Their workman, Shri Charuhas G. Joshi

#### APPEARANCES:

For the Management : Shri Rajesh Kumar, Manager  
(Personnel)

For the Workman : Workman present in person.  
Camp : Pune

Pune, dated this the 25th day May, 2006

#### AWARD

This is a reference made by the Central Government in exercise of its powers under clause (d) of sub-section (1) and sub-section (2A) of Section 10 of the Industrial Disputes Act 1947 (the Act for short) vide Government of India, Ministry of Labour, New Delhi Order No. L-12012/6/2004-IR(B-II) dated 31-05-2004. The terms of reference given in the schedule are as follows:

"Whether the action of the management of Bank of Maharashtra in imposing the punishment of compulsory retirement from service on Sh. Charuhas G. Joshi, Clerk, Model Colony Branch of the bank w.e.f. 10-10-2002 on the alleged charges of misconduct levelled against him vide charge sheet dated 3-1-2001 is legal and justified? If not, what relief the concerned workman is entitled to?"

Mr. Rajesh Kumar, Manager (Personnel) present for the Bank.

Mr. C.G. Joshi, workman is present before me. He has already filed an affidavit whereby he has requested for unconditional withdrawal of the Reference. On a query raised by me to the workman in person as to why he has requested for withdrawal of the reference the workman says that he has already been given all benefits. He has no grievance against the Bank.

In this circumstance, the reference is dismissed.

JUSTICE. GHANSHYAM DASS, Presiding Officer

नई दिल्ली, 16 जून, 2006

## AWARD

का. आ. 2637.—औद्योगिक विवाद अधिनियम, 1947 (1947 का 14) की धारा 17 के अनुसरण में, केन्द्रीय सरकार सीनियर सुपरिन्टेन्डेंट ऑफ पोस्ट आफिस के प्रबंधन के संबद्ध निोजकों और उनके कर्मचारों के बीच, अनुबंध में निर्दिष्ट औद्योगिक विवाद में केन्द्रीय सरकार औद्योगिक अधिकरण/श्रम न्यायालय, चेन्नई के पंचाट (संदर्भ संख्या 15/2005) को प्रकाशित करती है, जो केन्द्रीय सरकार को 16-6-2006 को प्राप्त हुआ था।

[ सं. एल-40012/142/2004-आई आर (डी यू) ]

सुरेन्द्र सिंह, डेस्क अधिकारी

New Delhi, the 16th June, 2006

S.O. 2637.—In pursuance of Section 17 of the Industrial Disputes Act, 1947 (14 of 1947), the Central Government hereby publishes the Award (Ref. No. 15/2005) of the Central Government Industrial Tribunal-cum-Labour Court, Chennai as shown in the Annexure in the Industrial Dispute between the employers in relation to the management of Sr. Superintendent of Post Offices, Chennai and their workman, which was received by the Central Government on 16-06-2006.

[No. L-40012/142/2004-IR(DU)]  
SURENDRA SINGH, Desk Officer

### ANNEXURE

#### BEFORE THE CENTRAL GOVT. INDUSTRIAL TRIBUNAL-CUM-LABOUR COURT, CHENNAI

Wednesday, the 26th April, 2006

#### PRESENT

K. Jayaraman, Presiding Officer

#### INDUSTRIAL DISPUTE No. 15/2005

[In the matter of the dispute for adjudication under clause (d) of sub-section (1) and sub-section 2(A) of Section 10 of the Industrial Disputes Act, 1947 (14 of 1947), between the Management of Department of Posts, Chennai Sorting Division and their workmen].

#### BETWEEN

Sri V. R. Seethapathy : I Party/Petitioner

#### AND

The Senior Superintendent, RMS,  
Department of Posts,  
Sorting Division, Chennai. : II Party/Management

#### APPEARANCE

For the Workman : Sri S. Vaidyanathan,  
Advocate  
For the Management : Sri S. Dhanasekaran,  
Advocate

The Central Government, Ministry of Labour vide Order No. L-40012/142/2004-IR(DU) dated 07-01-2005 has referred the dispute to this Tribunal for adjudication. The Schedule mentioned dispute is as follows :—

"Whether the action of the Senior Superintendent of Post Offices, RMS, Chennai in terminating the services of Sri V. R. Seethapathy with effect from 25-1-2004 is justified or not? If not, to what relief he is entitled to?"

2. After the receipt of the reference, it was taken on file as I.D. No. 15/2005 and notices were issued to both the parties and both the parties entered appearance through their advocates and filed their Claim Statement and Counter Statement respectively.

3. The allegations of the Petitioner in the Claim Statement are briefly as follows :—

The Petitioner's father V. Radhakrishnan was working as Mailman BCR senior grade and he had rendered thirty years of service and died on 6-2-2000 due to heart attack. The Petitioner passed SSLC and possesses technical qualification from ITI in the work of Fitter. The Petitioner's mother made a representation to the Principal Chief Postmaster, Tamil Nadu circle, Chennai requesting for compassionate appointment. By an order dated 17-10-2000, the request was rejected by the postal department. It was informed to the Petitioner's mother that Petitioner will be given employment in the Department of Posts on casual basis and he will be absorbed immediately. The Petitioner was given employment as O.S. in the Department of Posts on 5-1-2001. He was also given identity card on 8-4-2002. When the Petitioner was expecting regularisation as he completed 480 days of continuous service in a period of 24 calendar months, he was denied employment on 25-1-2004. The Petitioner's oral request for reinstatement was turned down. He was not paid any compensation much less retrenchment compensation. After the Petitioner's retrenchment, new hands have been recruited. Therefore, the Respondent's action is contrary to section 25F, 25G and 25H of I.D. Act. The Petitioner raised a dispute before labour authorities. But it was ended in failure. Denying employment to the Petitioner is nothing sort of victimization and colourable exercise of power. Hence the Petitioner prays this Tribunal to hold that the action of the Respondent/Management in terminating his services is not justified and consequently direct them to reinstate the Petitioner into service with continuity of service, back wages and other attendant benefits.

4. As against this, the Respondent in its Counter Statement contended that no doubt, the Petitioner's father Mr. V. Radhakrishnan expired on 6-2-2000 while in service. But the request of the mother of Petitioner for compassionate appointment was rejected on the ground

that the mother of Petitioner had no minor children, the mother of Petitioner received good terminal benefits and also receiving good family pension. This order was passed only after going through the provisions of compassionate appointment. It is false to allege that the Mother of the Petitioner was informed orally that the Petitioner would be given employment in the Respondent/Management. Extra Departmental staff is called as GDS and they are working and whenever they proceed on leave they bring substitute in their places of their own risk and responsibility. The department has nothing to do with these substitutes who have no locus standi whatsoever in the department. Such substitutes have no legal claim for regularisation on the basis of having worked continuously as substitutes. The Petitioner has worked as substitute for GDS from 4-1-01 to 20-12-02 and thereafter from 21-12-02 to 23-1-04 in different vacancies. Since he worked at his own risk and responsibility of GDS, he has no legal claim for regularisation, hence he has no locus standi to claim regularisation. Considering the safety and security of the Petitioner, identity card has been issued. Further issue of identity card has no criteria to claim employment or regularisation. Since the Petitioner is not a Casual Labour and who being just engaged as a substitute in the place of GDS brought at the risk and responsibility of GDS has no locus standi in the department and hence, the question of offer of employment or regularisation to the Petitioner does not arise. The Petitioner was neither retired nor retrenched from the department. Hence the question of paying compensation to the Petitioner does not arise. The Petitioner was neither a workman employed in this department nor appointed against any post of this department. He was a just substitute to GDS who worked at the own risk and responsibility of GDS. Hence the provisions of I.D. Act cannot be invoked in this case. Utilisation or non-utilisation of a substitute to GDS is as per requirement and as per orders of administration issued from time to time. Accordingly, the Petitioner's utilisation was dispensed with w.e.f. 25-1-2004. Therefore, it can be neither termed as victimisation nor colourful exercise of power. Hence, for all these reasons, the Respondent prays to dismiss the claim of the Petitioner.

5. In these circumstances, the points for my consideration are :

(i) "Whether the action of the Senior Superintendent of Post Offices, RMS, Chennai in terminating the services of the Petitioner is justified ?

(ii) "To what relief the Petitioner is entitled ?"

Point No. 1 :

6. The matter was pending from February, 2005 and the Petitioner has not appeared before this Tribunal even after one year. Therefore, the Tribunal has ordered the

Petitioner to appear before this Tribunal for enquiry. But the learned counsel for the Petitioner represented that he has no instruction and he has also revoked his vakalat. Hence, the Petitioner was called absent on 13-4-2006 and he was set ex-parte.

7. In these circumstances, this Tribunal has to consider whether the claim of the Petitioner has been proved ?

Though the Petitioner has claimed that he has worked for more than 480 days in a continuous period of 24 months in the Respondent/Management, he has not produced any substantial evidence to prove this contention. On the other hand, the Respondent/Management contended that the Petitioner was working as a substitute for GDS namely Extra Departmental Staff and he has no locus standi to claim regularisation in Respondent/Management and the Respondent/Management has nothing to do with those substitutes who have no locus standi whatsoever in the department and the Respondent/Management. In such circumstances, since the Petitioner has not proved that he is entitled to the benefits under the provisions of I.D. Act and since he has not proved that he has worked for 480 days in continuous period of 24 months, I find the Petitioner is not entitled to any relief claimed by him. Further, the Respondent contended that utilisation or non-utilisation of substitutes to GDS is as per requirement and as per the orders of administration issued from time to time and accordingly, the Petitioner's utilisation was dispensed with w.e.f. 25-1-2004 and it can neither be termed as victimization nor colourful exercise of power. Under such circumstances, I find the action of the Respondent/Management in terminating the services of Petitioner w.e.f. 25-1-2004 is justified.

Point No. 2 :

The next point to be decided in this case is to what relief the Petitioner is entitled ?

8. In view of my foregoing findings, I find the Petitioner is not entitled to any relief. No costs.

9. Thus, the reference is disposed of accordingly.

(Dictated to the P.A., transcribed and typed by him, corrected and pronounced by me in the open court on this day the 26th April, 2006).

K. JAYARAMAN, Presiding Officer

Witnesses Examined :

On either side : None

Documents marked :

On either side : Nil

नई दिल्ली, 16 जून, 2006

**का. आ. 2638.**—औद्योगिक विवाद अधिनियम, 1947 (1947 का 14) की धारा 17 के अनुसरण में, केन्द्रीय सरकार दूर संचार विभाग के प्रबंधन के संबद्ध नियोजकों और उनके कर्मचारों के बीच, अनुबंध में निर्दिष्ट औद्योगिक विवाद में केन्द्रीय सरकार औद्योगिक अधिकरण, जयपुर के पंचाट (संदर्भ संख्या सी जी आई टी-3/2006) को प्रकाशित करती है, जो केन्द्रीय सरकार को 16-6-2006 को प्राप्त हुआ था।

[सं. एल-40012/534/2000-आई आर (डी यू)]

सुरेन्द्र सिंह, डैस्क अधिकारी

New Delhi, the 16th June, 2006

**S.O. 2638.**—In pursuance of Section 17 of the Industrial Disputes Act, 1947 (14 of 1947), the Central Government hereby publishes the Award (Ref. No. CGIT 3/2006) of the Central Government Industrial Tribunal-cum-Labour Court, Jaipur as shown in the Annexure in the Industrial Dispute between the employers in relation to the management of Department of Telecom and their workman, which was received by the Central Government on 16-06-2006.

[No. L-40012/534/2000-IR (DU)]  
SURENDRA SINGH, Desk Officer

#### ANNEXURE

#### CENTRAL GOVERNMENT INDUSTRIAL TRIBUNAL-CUM-LABOUR COURT, JAIPUR

Case No. CGIT-3/2006

Reference No. L-40012/534/2000-IR (DU)

Sh. Kanhaiya Lal,  
S/o Sh. Mohanlal,  
C/o Jt. General Secy., Hind Mazdoor Sabha,  
Bengali Colony, Chhawani,  
Kota

....Applicant

#### Versus

The Dist. Engineer (Post & Telegraph) Telecom,  
Bundi (Rajasthan)

... Non-applicant

#### Present

Sh. R. C. Sharma, Presiding Officer

For the applicant : None

For the Non-applicant : None

Date of award : 31-5-2006

#### AWARD

The Central Government in exercise of the powers conferred under Clause D of sub-section 1 to Section 10 of

the Industrial Disputes Act, 1947 (for short, 'the Act') has referred the following industrial dispute to this Tribunal for adjudication, which runs as under :—

"Whether the management of District Engineer (Post & Telegraph), Telecommunication Department, Bundi, in terminating the services of Shri Kanhaiya Lal w.e.f. 1997 is just and legal? If not, to what relief the workman is entitled?"

2. The applicant-union has pleaded in the claim statement that the workman Kanhaiya Lal was employed as a 4th Class by the non-applicant department, whose service was terminated on 8-5-1997 in violation of Section 25-F of the Act. It has further been stated that subsequent to the termination of workman's service the new appointments have been made by the non-applicant department in violation of Section 25-H of the Act. It is prayed that the workman be reinstated in the service with all consequential benefits.

3. On 15-5-2006, at the stage of filing the written statement the ex parte proceeding was drawn against the non-applicant union and the case was fixed for 31-5-2006. On this date none appeared on behalf of either of the parties.

4. The burden lies upon the applicant-union to prove the claim by producing the evidence on record. There is no evidence on the record to establish the claim of the workman. No good ground for the non-appearance on behalf of the union could be assigned.

5. Therefore, the claim espoused by the applicant-union is liable to be rejected.

6. In the result, it is held that the termination order dated 8-5-1997 passed against the workman is just and legal. An award is passed in these terms accordingly.

7. Let a copy of the award be sent to the Central Government for publication under Section 17(1) of the Act.

R. C. SHARMA, Presiding Officer

नई दिल्ली, 16 जून, 2006

**का. आ. 2639.**—औद्योगिक विवाद अधिनियम, 1947 (1947 का 14) की धारा 17 के अनुसरण में, केन्द्रीय सरकार दूर संचार विभाग के प्रबंधन के संबद्ध नियोजकों और उनके कर्मचारों के बीच, अनुबंध में निर्दिष्ट औद्योगिक विवाद में केन्द्रीय सरकार औद्योगिक अधिकरण, जयपुर के पंचाट (संदर्भ संख्या सी जी आई टी-23/2006) को प्रकाशित करती है, जो केन्द्रीय सरकार को 16-6-2006 को प्राप्त हुआ था।

[सं. एल-40012/62/92-आई आर (डी यू)]

सुरेन्द्र सिंह, डैस्क अधिकारी

New Delhi, the 16th June, 2006

**S.O. 2639.**—In pursuance of Section 17 of the Industrial Disputes Act, 1947 (14 of 1947), the Central Government hereby publishes the Award (Ref. No. CGIT 23/2006) of the Central Government Industrial Tribunal-cum-Labour Court, Jaipur as shown in the Annexure in the Industrial Dispute between the employers in relation to the management of Department of Telecom and their workman, which was received by the Central Government on 16-06-2006.

[No. L-40012/62/92-IR (DU)]  
SURENDRA SINGH, Desk Officer

**ANNEXURE**

**CENTRAL GOVERNMENT INDUSTRIAL  
TRIBUNAL-CUM-LABOUR COURT, JAIPUR**

**Case No. CGIT-23/2006**

**Reference No. L-40012/62/92-IR (DU)**

Sh. Ramesh Chander,  
S/o Sh. Harji,  
Through Sh. N. K. Tiwari,  
Regional Secretary,  
Hind Mazdoor Sabha, Bengali Colony,  
Chhawanu, Kota-324001

Applicant

**Versus**

The General Manager Telecom,  
BSNL,  
Jaipur (Raj.)-302007

Non-applicant

**PRESENT:**

Sh. R. C. Sharma, Presiding Officer.

For the applicant : None  
For the Non-applicant : None  
Date of award : 23-5-2006

**AWARD**

The Central Government in exercise of the powers conferred under Clause 'D' of sub-Section 1 & 2(A) to Section 10 of the Industrial Disputes Act, 1947 (hereinafter referred to as the 'Act') has referred this industrial dispute for adjudication to this Tribunal which runs as under :—

"Whether the action of the management of General Manager Telecom, BSNL, Jaipur in terminating the services of Shri Ramesh Chander is legal and justified? If not, to what relief the workman is entitled and from which date?"

2. Pursuant to the receipt of the reference in this Court the notices to both the parties were issued on 16-2-2006. On 31-3-2006, the workman put appearance through his representative and submitted the claim statement. The case was fixed for 24-4-2006, on which date

the non-applicant appeared through his representative and the case was further fixed for 15-5-2006. On this date none appeared. Both the parties were also absent even today.

3. Perused the record.

4. The workman has stated in his claim statement that he had continuously worked from 1-6-83 to 19-7-88 under the employment of the non-applicant and has thus completed 240 days of work in a calendar year, but his service was terminated without following the requirements under Section 25-F of the Act. He has further stated that at the time of terminating his service, the junior employees were retained by the management in violation of Section 25-G of the Act. He had also pointed out that subsequent to his termination the new workmen have been appointed by the management without affording him any opportunity in violation of Section 25-H of the Act. He has urged to reinstate him with all the consequential benefits.

5. The onus lies upon the workman to prove his claim, for which no evidence could be brought on the record on behalf of the workman. Thus, he has failed to establish his claim, which deserves to be rejected.

6. Consequently, the reference is answered in the negative and it is held that the action of the non-applicant management in terminating the workman's services is legal and justified. The workman is entitled to no relief. An Award is passed in these terms accordingly.

7. Let a copy of the award be sent to the Central Government for publication under Section 17(1) of the Act.

R. C. SHARMA, Presiding Officer

नई दिल्ली, 16 जून, 2006

**का. आ. 2640.**—औद्योगिक विवाद अधिनियम, 1947 (1947 का 14) की धारा 17 के अनुसरण में, केन्द्रीय सरकार बी.बी.एम.बी. के प्रबंधन के संबंध में उनके कर्मचारियों के बीच, अनुबंध में निर्दिष्ट औद्योगिक विवाद में केन्द्रीय सरकार औद्योगिक अधिकरण/श्रम न्यायालय नं.-1, चण्डीगढ़ के पंचाट (संदर्भ संख्या 11/91) को प्रकाशित करती है, जो केन्द्रीय सरकार को 16-6-2006 को प्राप्त हुआ था।

[सं. एल-42012/51/90-आई आर (डी यू)]

सुरेन्द्र सिंह, डेस्क अधिकारी

New Delhi, the 16th June, 2006

**S.O. 2640.**—In pursuance of Section 17 of the Industrial Disputes Act, 1947 (14 of 1947), the Central Government hereby publishes the Award (Ref. No. 11/91) of the Central Government Industrial Tribunal-cum-Labour Court No. 1, Chandigarh as shown in the Annexure in the Industrial Dispute between the employers in relation to the management of B.B.M.B. and their workman, which was received by the Central Government on 16-06-2006.

[No. L-42012/51/90-IR (DU)]  
SURENDRA SINGH, Desk Officer

**ANNEXURE****CENTRAL GOVT. INDUSTRIAL TRIBUNAL-CUM-  
LABOUR COURT-1, CHANDIGARH****Case No. LD. 11/91**

General Secretary,  
Nangal Bhakra Mazdoor Sangh,  
H. No. 35-G,  
Nangal Township,  
Distt. Ropar

.....Applicant

**Versus**

The Chief Engineer,  
Bhakra Dam,  
Nangal Township,  
Distt. Ropar.

.....Respondent

**APPEARANCE**

For the workman : Sh. R. K. Singh.

For the management : Sh. R. C. Atri.

**AWARD**

Passed on 22-5-2006

Central Govt. vide No. L-42012/51/90/IR/(DU) dated 29-1-91 has referred the following dispute to this Tribunal for adjudication :

"Whether the action of the management of B.B.M.B. represented through the Chief Engineer, Bhakra Dam, Nangal Township in denying promotion to Shri Ashwani Kumar, Cleaner for the post of Driver w.e.f. 1-5-88 is justified? If not, what relief the workman concerned is entitled to and from what date?"

2. Workman filed his claim statement wherein he submitted that he was entitled to be retained as driver w.e.f. 10-8-87 and all benefits as he acted as driver and also entitled to consequential relief.

3. The management denied the averments of the workman as untenable and submitted that workman is not entitled to any relief. Workman examined himself to prove his case as WW1 and WW2 Vijay Kumar, whereas the management examined MW1 H.S. Turna only.

4. Final arguments heard. Learned AR, law officer of the management Shri Tara Singh and R. C. Atri submitted in arguments that claim of the workman is not tenable and reference is to be returned as he has claimed that he was denied promotion whereas it is a case of appointment of driver. Management also submitted that all averments made by the workman are wrong. The management never appointed any person from the waiting list. Although the petitioner was declared selected for the post of driver through a trade test and interview but his name was not in the selected list. The management prepared a select list which is relied by the workman and the name of the workman

was existed in waiting list at Serial No. 7 and at No. 6 as alleged by the workman, his junior was taken as per this seniority list and no one was appointed from this waiting list by the management and this waiting list was exhausted after a period of six months. The management contended that Anoop Singh filed a civil suit the facts and law referred is totally different of Anoop Singh and do not help the workman Anoop Singh was appointed on the order of Court.

5. In reply learned A. R., Shri R. K. Singh for the workman submitted that management atleast admitted to this extent that name of the workman Ashwani Kumar existed at Serial No. 7 of the waiting list and the Anoop Singh existed at Serial No. 6 who was junior to the workman. Wrongly the management has filed an affidavit stating that none of the candidate from the waiting list was offered appointment whereas Anoop Singh was appointed from the waiting list. When his junior has been appointed from the waiting list, workman should be appointed with all benefits and reference may be decided in his favour.

6. In view of the above submissions and my persual of oral evidence and documents. I have found that there is only a short dispute remains that Anoop Singh of serial No. 6 of the waiting list was appointed in view of the interview held on 27-7-87 and 28-7-87. On persual of judgment relied and referred by the workman himself of Civil Court i.e. Appeal, I have found that as per this judgment of the Civil Court, appointment as driver was challenged by workman Anoop Singh but not the same as challenged by the present workman Ashwani Kumar for the interview held on 27-7-87 and 28-7-87 and not appointing Ashwani Kumar as discrimination and whether workman Ashwani Kumar should have been promoted. As regard objection of the management that reference of the workman is vague. I disagree, because departmental candidates on his appointment on next higher post in the department amounts to appointment on promotion and it is not much agitated by the management further.

7. As regard point in dispute that when Anoop Singh was given appointment then why Ashwani Kumar was not given appointment. On persual of certified copy of judgment in Appeal in the case of Bhakra Beas Management Board Vs. Anoop Singh. I have found that facts of the case are as under :

"Brief facts of the case are that plaintiff Anoop Singh (respondent herein) filed suit in the trial court on the ground that he is entitled to be appointed as driver in B.B.M.B. as he cleared the requisite test and was possessing the qualification at the relevant time. It is averred that persons junior to him in merit list have been appointed drivers and his claim has been ignored in the list of appointed drivers mala fide, illegally and intentionally to favour the persons of choice of the defendants (appellants herein).

The plaintiff is resident of village Ballan, tehsil Anandpur Sahib and he appeared in test for the appointment of drivers in the department of defendants at Nangal in July, 1987, where 21 posts of drivers were vacant. The test was conducted by the XEN, Mechanical Division, Nangal Township in which he was declared as qualified. 11 persons were appointed as drivers and rest of the posts were left unfilled and the plaintiff stood at serial No. 6 in the waiting list. Defendant No. 3, again put a demand through Employment Exchange, Nangal Township for the recruitment of 11 more drivers. Out of these 11 posts, 3 were reserved for scheduled castes and one for Ex. Serviceman while 7 posts fell to the pool of general category. Essential qualification in addition to driving skill at the time of submitting applications was Middle pass. That the plaintiff fulfilled requisite qualifications and accordingly his name was sponsored by Employment Exchange Nangal Township. Test was conducted on 7/8-12-1990 and the plaintiff qualified the test. Plaintiff also submitted application for the test of drivers through his father on 27-9-1989 as according to the instructions of the defendants, 7% of the vacancies were reserved for the children of Class IV employees working in B.B.M.B. father of the plaintiff has been working as bookbinder in B.B.M.B. since 1953, thus he was also eligible for 7% reservation for the posts to be filled by the defendants. Appointment letters were issued to 8 successful candidates, but no such letter was issued to the plaintiff though persons junior to him in the merit, namely Bishan Dass, Piara Singh and Ram Kumar were issued such appointment letters. It is claim of the plaintiff that 11 posts of driver were lying vacant, but only 8 persons were given appointment. Defendant No. 3, once again sent a requisition letter to District Employment Exchange, Nangal requiring to send more candidates for interview other than those already sponsored. Qualification for the recruitment of drivers in that requisition was increased from Middle to Matric and this act of the defendants was illegal and against principle of natural justice. Employment Officer Nangal vide his letter dated 2-1-1990 sent a reply to defendant No. 3 as to how the qualification for the said posts have been changed and why result of previous selection has not been intimated to their department. But defendant No. 3, vide his letter dated 5-1-1990 sent to Employment Officer, Nangal asked to sponsor the names of candidates for interview other than those already sponsored for fresh interview which was to take place on 18-1-1990, totally ignoring the query of Employment Officer. It is also contended that in the month of August, 1989 applications were also invited directly for the post of drivers and the plaintiff appeared in the test and stood first. But his

appointment was withheld and another person was appointed who even did not appear in that test. Plaintiff issued a legal notice dated 8-3-1990 to the defendants, but the defendants did not give any reply to that notice. Cause of action arose to the plaintiff firstly in July 1987 and then December, 1990, when he was deprived of the appointment letter. Aggrieved from this act of the defendants he filed suit in the trial court.

Upon notice, the defendants appeared and contested the suit by filing joint written statement. According to the defendants, the plaintiff has no cause of action or locus standi to file the suit and his suit was not maintainable. No vacancy of driver existed with the defendants against which the plaintiff could be adjusted. They admitted the conducting of interview in July, 1987 in which 21 candidates qualified and 11 persons were issued appointment letters. According to them name of the plaintiff figured at serial No. 6, in the waiting list and not at serial No. 1, as alleged by the plaintiff. Waiting list remained effective and operative for a period of six months only. It is contended that in November, 1989, 11 posts of drivers were to be filled and requisition was sent to District Employment Officer, Nangal Township, who sponsored the candidates including plaintiff. Plaintiff qualified that test and interview but as per policy of B.B.M.B. persons with matriculation as qualification were issued appointment letters. As plaintiff was only middle pass, so he could not be selected for the post of driver. Appointment to three persons named by the plaintiff is admitted, however, it is and of the defendants that all these three persons were matriculate, while the plaintiff was middle pass. Sending of third requisition for six posts of drivers to the District Employment Exchange Nangal Township for sponsoring candidates having minimum qualification of matric pass is also admitted. But it is contended that the defendants are competent to enhance the qualification from Middle to Matric. According to defendants on 8-1-1990 some persons were interviewed for the posts of drivers only for specified period of two months to cope with any unexpected and unforeseen contingency at Nangal Hydel Channel due to heavy rains keeping in view the last year experience, but none was appointed out of the said list. They denied the rest of allegations of the plaintiff and prayed for dismissal of the suit.

8. As per entire judgment relied and referred by the workman himself, I found that as per this judgment appointment of workman was challenged by workman Anoop Singh not the same as challenged by the present workman Ashwani Kumar for the interview held on 27-7-87 and 28-7-87 wherein select list of 11 candidates and waiting list of 10 candidates was made and none of the candidates

from the waiting list was appointed. As per the facts of the civil suit filed by Anoop Singh after expiry of this penal after a period of six months. The management two times circulated the vacancy and in both times workman applied and first time he was called for interview and was selected. The workman was not appointed in the first interview as educational qualification was raised from middle to matric and therefore, workman Anoop Singh was not considered for appointment though he has also passed the driving test and was fit for appointment. As per the judgement of the civil court confirmed by the Addl. District Judge, the relief granted to the workman Anoop Singh is that the department will take plaintiff in by appointing within a period of two months. It was further held that seniority list of such employees who have not been made party in the suit will not be disturbed and the defendants fails to give appointment within two months, the plaintiff will be entitled to salary as if he was in service. This judgement was passed on 17-5-1994 and appeal was decided on 11-8-1998.

9. I have found that facts and circumstances of the judgement and order of civil suit and appeal passed in favour of Anoop Singh co-workman is totally different and it refer to the later period and subsequent interview on applying again by Anoop Singh. In the present case, I found that MWI the only witness examined by the management H. S. Turna in para 6 of his affidavit submitted that none of the candidate from the waiting list was offered appointment and in this regard the contention of the workman that Anoop Singh was given appointment against this employment process. are wrong. The contention of the workman is not correct. Anoop Singh was appointed in subsequent employment process and was interviewed second time and he got the benefits of this efforts when present workman did not apply. From the judgement of the Civil Court and Appellate Court, it is quite clear that facts and circumstances of Anoop Singh's case were totally different and has no connection with the present case at all. No one was appointed from the waiting list and no junior to the workman was taken that way by the management. I am of the considered view that management was successful in proving the reference in their favour that action of the management of BBMB represented through the Chief Engineer, Bhakra Dam, Nangal Township in denying promotion to Shri Ashwani Kumar, Cleaner for the post of Driver w.e.f. 1-5-88 is justified. The workman failed to prove the reference in his favour that action of the management is illegal and not entitled for any relief. In view of the above, the present reference is answered in favour of the management and against the workman. Central Govt. be informed. File be consigned to record.

Chandigarh RAJESH KUMAR, Presiding Officer  
22-5-2006

नई दिल्ली, 16 जून, 2006

का. आ. 2641.—औद्योगिक विवाद अधिनियम, 1947 (1947 का 14) की धारा 17 के अनुसरण में, केन्द्रीय सरकार बी. बी. एम. बी. के प्रबंधन के संबंध में नियोजकों और उनके कर्मचारों के बीच, अनुबंध में निर्दिष्ट औद्योगिक विवाद में केन्द्रीय सरकार औद्योगिक अधिकरण/श्रम न्यायालय, नं.-I, चण्डीगढ़ के पंचाट (संदर्भ संख्या 161/90) को प्रकाशित करती है, जो केन्द्रीय सरकार को 16-6-06 को प्राप्त हुआ था।

[सं. एल-42012/15/90-आई आर (डी. यू.)]  
सुरेन्द्र सिंह, डेस्क अधिकारी

New Delhi, the 16th June, 2006

S.O. 2641.—In pursuance of Section 17 of the Industrial Disputes Act, 1947 (14 of 1947), the Central Government hereby publishes the Award (Ref. No. 161/90) of the Central Government Industrial Tribunal-cum-Labour Court, No. 1, Chandigarh as shown in the Annexure in the Industrial Dispute between the employers in relation to the management of B. B. M. B. and their workman, which was received by the Central Government on 16-6-2006.

[No. L-42012/15/90-IR(DU)]  
SURENDRA SINGH, Desk Officer

#### ANNEXURE

#### CENTRAL GOVERNMENT INDUSTRIAL TRIBUNAL-CUM-LABOUR COURT-I, CHANDIGARH

Case No. I. D. 161/90

General Secretary, Nangal Bhakra Workers Union,  
Kilan Area Nangal Township, Distt. Ropar  
(Punjab)-140124 ... Applicant

*Versus*

The Chief Engineer, B. B. M. B. Bhakra Dam, Nangal  
Township, Distt. Ropar-140134. ... Respondent

#### APPEARANCES:

For the workman : Sh. R. K. Singh  
For the management : Sh. R. C. Atri

#### AWARD

Passed on 30-5-2006

Central Govt. vide No. L-42012/15/90/IR/D-U) dated 9-11-90 has referred the following dispute to this Tribunal for adjudication :

"Whether the action of the management of Bhakra Beas Management Board represented through the Chief Engineer, Bhakra Power Wing, Nangal Township in terminating the services of Shri Anoop Kumar, T. Mate/Carpenter w.e.f. 27-7-80 to 28-9-87 is justified? If not, what relief the concerned workman is entitled to?"

2. The case taken up in Lok Adalat as per request of both the parties. The authorised representative of the workman Shri R. K. Singh withdraw the present reference vide his statement recorded on 19-5-2006. In view of the same, the present reference is returned as withdrawn in Lok Adalat. Central Govt. be informed. File be consigned to record.

Chandigarh  
30-5-2006

RAJESH KUMAR, Presiding Officer

नई दिल्ली, 16 जून, 2006

का. आ. 2642.—औद्योगिक विवाद अधिनियम, 1947 (1947 का 14) की धारा 17 के अनुसरण में, केन्द्रीय सरकार भारतीय खाद्य निगम के प्रबंधन के संबद्ध नियोजकों और उनके कर्मचारों के बीच, अनुबंध में निर्दिष्ट औद्योगिक विवाद में केन्द्रीय सरकार औद्योगिक अधिकरण नं.-I, चण्डीगढ़ के पंचाट (संदर्भ संख्या 193/2004) को प्रकाशित करती है, जो केन्द्रीय सरकार को 16-6-06 को प्राप्त हुआ था।

[सं. एल-22012/257/2003-आई आर (सीएम-II)]

अजय कुमार गौड़, डेस्क अधिकारी

New Delhi, the 16th June, 2006

S.O. 2642.—In pursuance of Section 17 of the Industrial Disputes Act, 1947 (14 of 1947), the Central Government hereby publishes the Award (Ref. No. 193/2004) of the Central Government Industrial Tribunal-cum-Labour Court, No. 1, Chandigarh as shown in the Annexure in the Industrial Dispute between the management of Food Corporation of India and their workmen, which was received by the Central Government on 16-6-2006.

[No. L-22012/257/2003-IR(CM-II)]

AJAY KUMAR GAUR, Desk Officer

#### ANNEXURE

#### CENTRAL GOVERNMENT INDUSTRIAL TRIBUNAL-CUM-LABOUR COURT-I, CHANDIGARH

Case No. I. D. 193/2004

Sh. Harnam Singh, C/o Sh. Jasvinder Pal Singh,  
H. No. 288, Sector-20A, Chandigarh. ... Applicant

*Versus*

The District Manager, Food Corporation of India,  
Bugga Mul Trust, Railway Road, Kapurthala

... Respondent

#### APPEARANCES:

For the workman : None

For the management : Sh. N. K. Zakhmi  
with Hari Om Sharma

#### AWARD

Passed on 22-5-2006

Central Govt. vide No. L-22012/257/2003/IR/(CM-II) dated 18-5-2004 has referred the following dispute to this Tribunal for adjudication :

"Whether the action of the management of Food Corporation of India, Kapurthala in terminating the services of Shri Harnam Singh S/o Balwan Singh, Ancillary Labour w.e.f. 16-11-1996 is legal and justified? If not, to what relief he is entitled to?"

2. In this case Management appeared through Sh. N. K. Zakhmi with Department official Mr. Hari Om Sharma. None appeared even today for workman. None appeared even on Regd. A. D. notice to the workman. Earlier also efforts were made by the management to trace the LRs of the workman. It is submitted that workman was not their employee so they could not trace the workman who is residing in Kapurthala. Even at his Chandigarh address, no one is living. It is further submitted by the learned counsel for the management that when address of the workman is not traceable and whereabouts are not known of the workman or his family and they could not ascertain whether workman is alive or dead, no useful purpose will be served in keeping the reference pending and the same may be returned for want of prosecution. In view of the above submissions of the learned counsel of the management and my perusal of the record and also efforts made by the court, the present reference is returned to the Central Govt. for want of prosecution. Central Govt. be informed. File be consigned to record.

Chandigarh  
22-5-2006

RAJESH KUMAR, Presiding Officer

नई दिल्ली, 16 जून, 2006

का. आ. 2643.—औद्योगिक विवाद अधिनियम, 1947 (1947 का 14) की धारा 17 के अनुसरण में, केन्द्रीय सरकार एम. सी. एल. के प्रबंधन के संबद्ध नियोजकों और उनके कर्मचारों के बीच, अनुबंध में निर्दिष्ट औद्योगिक विवाद में केन्द्रीय सरकार औद्योगिक अधिकरण, भुवनेश्वर के पंचाट (संदर्भ संख्या 264/2001) को प्रकाशित करती है, जो केन्द्रीय सरकार को 16-6-06 को प्राप्त हुआ था।

[सं. एल-22012/303/1998-आई आर (सीएम-II)]

अजय कुमार गौड़, डेस्क अधिकारी

New Delhi, the 16th June, 2006

S.O. 2643.—In pursuance of Section 17 of the Industrial Disputes Act, 1947 (14 of 1947), the Central Government hereby publishes the Award (Ref. No. 264/2001) of the Central Government Industrial Tribunal-cum-Labour Court, Bhubaneswar as shown in the Annexure in the Industrial Dispute between the management of

Bharatpur Colliery of MCL and their workmen, which was received by the Central Government on 16-6-2006.

[No. L-22012/303/1998-IR(CM-II)]  
AJAY KUMAR GAUR, Desk Officer

# ANNEXURE

## CENTRAL GOVERNMENT INDUSTRIAL TRIBUNAL-CUM-LABOUR COURT, BHUBANESWAR

### PRESENT:

Shri N. K. R. Mohapatra, Presiding Officer, C. G. I. T.-cum-Labour Court, Bhubaneswar.

Tr: **INDUSTRIAL DISPUTE CASE NO. 264/2001**

**Date of Passing Award : 10th May, 2006**

### BETWEEN:

The Management of the Chief General Manager,  
Bharatpur Colliery of MCL, P. O. Balanda, Angul.  
... 1st Party-Management

### AND

Their Workmen, represented through the General  
Secretary, Bharatpur Colliery Labour Union, P. O.  
South Balanda, Dist. Angul ... 2nd Party-Union

### APPEARANCES:

**For the 1st Party-Management :** None

**For the 2nd Party-Union :** None

### AWARD

The Government of India in the Ministry of Labour, in exercise of powers conferred by Clause (d) of sub-section (1) and sub-section 2(A) of Section 10 of the Industrial Disputes Act, 1947 (14 of 1947) have referred the following dispute for adjudication vide their Order No. L-22012/303/98/IR (CM-II), dated 10/16-6-1999:—

“Whether the action of the Management of Bharatpur Colliery of MCL by refusing 10 workmen (named below) to treat them at par with Matric ITI as far as their promotion is concerned is legal and justified? If not to what relief are the workmen entitled?”

1. Shri Ramakanta Das.
2. Shri Subrat Kumar Nath.
3. Shri Dinesh Rout.
4. Shri Suresh Ch. Sahoo.
5. Shri Prasanta Kumar Sahoo.
6. Shri Angada Kumar Pani.
7. Shri Girija Prasad Sahoo.
8. Shri Kailash Ch. Sahoo.
9. Shri Sashibhusan Pattnaik.
10. Shri Babulal Panda.

2. Be it noted here that in the claim statement submitted by the Union the names of workmen Sl. No. 9 and 10 have been described differently as Sashi Kanta Patnaik (Sl. No. 9) and Babulal Khandelwal (Sl. No. 10). Therefore, instead of going by the names of these workmen they are simply referred hereinafter as “workmen involved.”

It is alleged by the Union that in a common recruitment test both Matric ITI and Non-Matric ITI candidates were selected and posted as Mazdoor, Cat-I in the Bharatpur Colliery of the Management in 1990. The workmen in question were Non-Matric ITI while Shri Rudra Narayan Samanta and few others were Matric ITI qualified persons. After the above recruitment a common senior list of both Matric ITI and Non-Matric ITI Mazdoors were prepared and they were put under excavation cadre. But while considering their promotion the Management adopted two different standards by which the Matric ITI Mazdoors were made eligible for their promotion to Mazdoor Cat.-II after completion of one year as Mazdoor No. 1 while non-Matric ITI persons were not given the said benefits. As a result a dispute was raised before the A. L. C. (C), Bhubaneswar in the year 1994 and according to settlement arrived at the non-Matric employees were given promotion after completion of two years of service in Category-I. In the present reference it is alleged that since the workmen involved have acquired Matric qualification subsequently they should be treated as equal with Matric qualified ITI employees and given promotion on completion of one year of service as Mazdoor Cat.-I. It is alleged that the job performed by Matric ITI employees being similar with that of the job performed by the non-Matric employees and there being no specific rule to regulate their service at the time of their recruitment they on their passing matriculation should be made equal with that of Matric ITI and given promotion on completion of one year of service retrospectively from the date of their completion of one year in Category-I mazdoor as per the implementation instruction No. 49 dated 7-10-1993 of the Joint Bipartite Committee for Coal Industry (J. B. C. C. I.) and the cadre scheme framed thereon.

3. The Management on the other hand has alleged that by the time the workmen in question joined the job as Mazdoor Cat.-I (E. P. Trainee) in 1990 the establishment of M. C. L. Management was under South Eastern Coal Fields Limited (S. E. C. F. L.) and as such the circulars and cadre scheme of S. E. C. F. L. was applicable to the workmen in question. Under the above scheme Matric E. P. Trainees, Cat.-I were only eligible for their promotion to Sr. E. P. Trainee, Grade-II after one year of their service and as such the workmen involved could not be given such promotion along with their counterpart Matric ITI employees, the scheme being silent about the promotion of non-Matric ITI persons. But however subsequently on the basis of a Tripartite settlement these non-Matric ITI employees were declared eligible for their next promotion to Cat.-II on their successful completion of two years of service in

Category-I and accordingly the workman involved were given notional promotion from the date on which they had completed two years service in Category-I.

4. On the basis of above pleadings of the parties the following issues were framed.

#### ISSUES

1. Whether the reference is maintainable ?
2. Whether the action of the Management of Bharatpur Colliery of MCL, by refusing 10 workmen to treat them at par with Matric ITIs as far as their promotion is concerned is legal and justified ?
3. If so, to what relief the workmen are entitled ?
5. To justify their respective stands both the parties have examined one witness each besides mainly depending on the circulars and orders.

#### ISSUE NO. 1:

6. Not pressed.

#### ISSUE NO. II AND III:

7. From the above pleadings of both the parties it is clear that admittedly the non-Matric ITI category employees were not given promotion to E. P. Trainee Category-II on their completing one year of service though the Matric-ITI were given such promotion on the basis of a cadre scheme (Ext.-A) formulated by South Eastern Coal Fields Limited. It is also admitted by both the parties that those of the non-Matric ITI employees who had completed two years of service in Category-I were subsequently given notional promotion pursuant to a Tripartite Agreement dated 23-11-1994 (Ext.-B). It was argued by the Union that since according to a cadre scheme prescribed for the excavation personnel (Ext.-C) under implementation instruction No. 49 of the National Coal Wage Agreement-IV an E. P. Trainee of any category is to be promoted to Cat.-II on his completing one year of service in Cat.-I and that the job performed by Matric ITI and non-Matric ITI employees being similar the Management should not have made a distinction between these two category of employees by entering into another settlement with the local Trade Union on 23-11-99 vide Ext.-B. It was also argued that in the face of a settlement reached at the National Level vide Ext.-C dated 7-10-1993 the subsequent settlement dated 24-11-1994 reached between the Management and the union has no place for consideration inasmuch as the same cannot limit or surpass the provisions made at the National level.

8. Be it noted here that the law on the subject is very much clear that settlement reached at the National level carry all the forces of law with wide applicability and that

the provisions of that law cannot be limited through another agreement reached between the Management and the local Trade Union. When a cadre rule has already been formulated at the National level to regulate the promotion of the E. P. Trainees without making any distinction between Matric ITI and Non-Matric ITI in as back on 7-11-1993, the Management should not have created a situation leading to another settlement in 1994 vide Ext.-B. Therefore, as argued by the Union this Ext.-B is of little consequence, the attempt made therein being to undermine the provisions made at the National Level. Accordingly the Management is directed to give notional promotion to these E. P. Cat.-I Mazdoors pursuant to the implementation Instruction No. 49 generated from out of National Coal Wage Agreement-IV.

9. Before parting with the award I would like to make it clear that there are some differences in the name of the disputants-workmen as furnished by the Government and the list furnished by the Union in its claim statement. Besides in the counter it is alleged by the Management that Sl. No. 5 workman Shri Prasant Kumar Sahu belongs to a colliery other than the one to which others belong. In view of the same the Management is further directed to sort out the names of the real beneficiary and consider their case as directed earlier.

10. Reference is answered accordingly.

N. K. R. MOHAPATRA, Presiding Officer

नई दिल्ली, 16 जून, 2006

का. आ. 2644.—औद्योगिक विवाद अधिनियम, 1947 (1947 का 14) की धारा 17 के अनुसरण में, केन्द्रीय सरकार पी. जी. आई. के प्रबंधन के संबद्ध नियोजकों और उनके कर्मचारों के बीच, अनुबंध में निर्दिष्ट औद्योगिक विवाद में केन्द्रीय सरकार औद्योगिक अधिकरण नं.-I, चण्डीगढ़ के पंचाट (संदर्भ संख्या 277/2004) को प्रकाशित करती है, जो केन्द्रीय सरकार को 16-6-06 को प्राप्त हुआ था।

[ सं. एल-42012/221/2003-आई आर (सीएम-II) ]

अजय कुमार गौड़, डेस्क अधिकारी

New Delhi, the 16th June, 2006

S.O. 2644.—In pursuance of Section 17 of the Industrial Disputes Act, 1947 (14 of 1947); the Central Government hereby publishes the Award (Ref. No. 277/2004) of the Central Government Industrial Tribunal-cum-Labour Court No. I, Chandigarh as shown in the Annexure in the Industrial Dispute between the management of P.G.I. and their workmen, which was received by the Central Government on 16-6-2006.

[No. L-42012/221/2003-IR(CM-II)]  
AJAY KUMAR GAUR, Desk Officer

## ANNEXURE

CENTRAL GOVERNMENT INDUSTRIAL  
TRIBUNAL-CUM-LABOUR COURT-I,  
CHANDIGARH

Case No. I. D. 277/2004

Sh. Mahesh Kumar, S/o Sh. Ram Bharose, C/o Sh.  
Ram Din, Civil Division No. 1, PGI, Chandigarh.  
... Applicant

Versus

The Director, PGI, Postgraduate Institute of Medical  
Education and Research, Chandigarh.  
... Respondent

## APPEARANCES:

For the workman : None  
For the management : Sh. H. S. Awasthi

## AWARD

Passed on 22-5-2006

Central Govt. vide No. L-42012/221/2003/IR/(CM-II)  
dated 17-8-2004 has referred the following dispute to this  
Tribunal for adjudication:"Whether the action of the management of PGI,  
Chandigarh in terminating the services of Shri  
Mahesh Kumar Beldar, w.e.f. 31-12-2001 is legal and  
justified? If not, to what relief the workman is entitled  
to?"2. In this case Management appeared through Sh. H.  
S. Awasthi, Advocate. None appeared for the workman. It  
is already 3 P.M. Earlier advocate of the workman Sh. O. P.  
Batra submitted that workman is not contacting him for the  
several dates perhaps gainfully employed somewhere and  
he has made efforts to contact him but he could not get  
him. In view of the above when workman is not contacting  
his advocate and perhaps gainfully employed no useful  
purpose would be served in keeping the reference pending.  
In view of the same the present reference is returned to the  
Central Govt. for want of prosecution. Central Govt. be  
informed. File be consigned to record.Chandigarh  
22-5-2006

RAJESH KUMAR, Presiding Officer

नई दिल्ली, 19 जून, 2006

का. आ. 2645. — औद्योगिक विवाद अधिनियम, 1947 (1947  
का 14) की धारा 17 के अनुसरण में, केन्द्रीय सरकार एयरपोर्ट अथोरिटी  
ऑफ इंडिया के प्रबंधन के संबद्ध नियोजकों और उनके कर्मचारों के  
बीच, अनुबंध में निर्दिष्ट औद्योगिक विवाद में केन्द्रीय सरकार औद्योगिक  
अधिकरण, चेन्नई के पंचाट (संदर्भ संख्या 18/2005) को प्रकाशित  
करती है, जो केन्द्रीय सरकार को 19-6-2006 को प्राप्त हुआ था।

[सं. एल-11012/27/2004-आई आर (विविध)]

बी. एम. डेविड, अवर सचिव

New Delhi, the 19th June, 2006

S.O. 2645.—In pursuance of Section 17 of the  
Industrial Disputes Act, 1947 (14 of 1947), the Central  
Government hereby publishes the Award (Ref. No. 18/2005)  
of the Central Government Industrial Tribunal/Labour  
Court, Chennai as shown in the Annexure in the Industrial  
Dispute between the employers in relation to the  
management of Airport Authority of India and their  
workman, which was received by the Central Government  
on 19-6-2006.[No. L-11012/27/2004-IR(M)]  
B. M. DAVID, Under Secy.

## ANNEXURE

BEFORE THE CENTRAL GOVERNMENT  
INDUSTRIAL TRIBUNAL-CUM-LABOUR COURT,  
CHENNAI

Tuesday, the 25th April, 2006

Present : K. Jayaraman, Presiding Officer

INDUSTRIAL DISPUTE NO. 18/2005

[In the matter of the dispute for adjudication under  
clause(d) of sub-section (1) and sub-section 2(A) of  
Section 10 of the Industrial Disputes Act, 1947 (14 of 1947)  
between the Management of International Airport  
Authority of India and their workmen].

## BETWEEN

1. Sri R. Samra : I Party/Petitioners
2. Sri J. Illangovan
3. Sri V. Karthikeyan
4. Sri P. Babu
5. Sri V. Unapathy
6. Sri C. Karthiraj
7. Sri Venkatesan
8. Sri John
9. Sri M. Emmanuel

## AND

1. The Director. : II Party/Management  
International Airports Authority of India,  
Chennai.
2. M/s. Sai Elevators, Chennai

## APPEARANCE:

For the workmen (2 to 9) : M/s. Row & Reddy,  
Advocates.  
For the 1st Respondent : M/s. R. Parthiban,  
Advocates  
For the 2nd Respondent : None

**AWARD**

The Central Government, Ministry of Labour vide Order No. L-11012/27/2004-IR(M) dated 12-10-2004 has referred the dispute to this Tribunal for adjudication. The Schedule mentioned dispute is as follows :—

“Whether the dispute raised by the workmen (Annexure I) against the management of Airport Authority of India to declare them as workers of the Airport Authority w.e.f. the date of their joining of services and for granting of benefits applicable to the employees of Airport Authority of India is justified? If so, to what relief the concerned workmen are entitled?”

2. After the receipt of the reference, it was taken on file as I. D. No. 18/2005 and notices were issued to both the parties and both the parties entered appearance through their advocates and filed their claim Statement and Counter Statement respectively.

3. The allegations of the Petitioners in the claim Statement are briefly as follows :—

The Petitioners were appointed as lift operators in the year 1995 to operate lifts in the International Airport Authority of India. The 1st Respondent called for tenders and they accepted the tender quoted by M/s. Sai elevators and according to IAAI the contract was given to 2nd Respondent and Petitioners were allegedly appointed through that contract. There are seven lifts at international airport and domestic airport. Five of them are unmanned and two are manned by Petitioners. The operation of the lift is essential part of the activity of the 1st Respondent. In Mumbai, Delhi, the International Airport Authority employs lift operators directly, but in Chennai and Kolkata they claim that they are employed through contractors. When the Petitioners came to know that 1st Respondent is going to engage direct labour in Chennai also and without first absorbing the Petitioners, the Petitioners filed a Writ petition No. 6707/1997 for declaring them as direct employees of International Airport Authority of India with effect from the date when they joined as lift operators. The said W.P. was admitted and status quo was ordered. On 9-9-2004 the High Court disposed of the main W.P. No. 6707/97 by directing the Central Govt. to refer the dispute. Since it is a state within the meaning of Article 12 of Constitution, it is part of their statutory duties to maintain the services namely lift operation. Section 12(3)(a) of the Airport Authority of India Act, 1994 states that IAAI has to carry on the operations namely plan, develop, construct and maintain runways, taxiways, aprons, terminals and ancillary buildings at the airports and civil enclaves they are statutorily obliged to do so. The Apex Court has also held that if the management is statutorily obliged to carry on those activities, the employees who are engaged in those activities are regular employees and not by so-called

contractors. Operating lifts for passengers is a part of a core activity and this cannot be let out on contract. Therefore, the Petitioners have to be declared as employees of 1st Respondent namely International Airport Authority of India without going into the question, whether the so called contract is sham and nominal. Any how, the so-called contract with the 2nd Respondent namely M/s. Sai Elevators is sham and nominal and they have merely brought in to avoid the obligations under law. The entire discipline and control over the Petitioners is exercised by the 1st Respondent and their Junior Engineers supervised the Petitioners work. The Petitioners made log entries in registers maintained by 1st Respondent. They worked in three shifts. Only the 1st Respondent decides as to who should work in each shifts. Their leave letters are submitted to Junior Engineers of 1st Respondent/Management and in turn they forward it to the administrative head. The Petitioners were actually paid their salary by 1st Respondent through the hands of 2nd Respondent. Therefore, the contract is sham and nominal and the Petitioners are really the employees of 1st Respondent. To engage the Petitioners through so called contract system when the 1st Respondent is statutorily obliged under Airport Authority to carry on these operations, it will be unfair labour practice to do so. Hence, for all these reasons, the Petitioners pray this Tribunal to declare that the Petitioners are regular employees of 1st Respondent and grant them pay scales and other benefits applicable to regular lift operators of 1st Respondent/Management in Mumbai & Delhi with increments, arrears and continuity of service with effect from their date of joining.

4. The 2nd Respondent/Management remained ex-parte.

5. As against this, the 1st Respondent in its Counter Statement alleged that at Chennai Airport there are two terminals namely Anna International Terminal and Kamaraj Domestic Terminal and they have got nine lifts and out of nine, seven lifts are always running on auto system and only two of the lifts are manned and one lift is at link building and the other is at Anna International Terminal Public Concourse. These two lifts are meant for VIPs as well as physically handicapped persons. The Airport Authority has employed a few lift operators at Mumbai, Delhi, Kolkata as well as Chennai for manning important lifts as well as to facilitate handicapped passenger movement as and when required. At the Chennai Airport, Airport Authority has employed four operators to man the lifts during VIP movement or to facilitate handicapped passengers and these four operators have been appointed by 1st Respondent as regular employees of Airports Authority of India. Since the four operators who are on regular basis are enough for the purpose of VIPs and to facilitate the handicapped persons, the services of contract labourers are no longer required and in the event that the contract is terminated, the 1st Respondent does not intend to engage

any other contract labourers for the purpose of having lift operators. Since at the initial stage, some of the lifts were not in good condition, the 1st Respondent called for tenders for maintenance and operation of units and awarded the contract to the 2nd Respondent. The contract was from 11-6-95 to 11-6-96 and this was renewed from 26-6-96 to 25-06-97. At this stage, the Petitioners who are employees of 2nd Respondent filed W.P. for regularisation of their services in Airports Authority of India. The Petitioners do not have any right to seek regularisation. The Central Govt. has not issued any notification under Section 10 of Contract Labour (Regulation and Abolition) Act to engage contract labourers for this job. Any how, the contract given to 2nd Respondent is for maintenance as well as operation of lifts and therefore, it cannot be said to be a contract labour. The 2nd Respondent is a genuine contractor who has experience in the maintenance and operation of lifts not only for 1st Respondent but for other persons also and therefore, the contract cannot be said to be sham and nominal. Since the Petitioners were employed by 2nd Respondent there is no relationship of employer-employee between the Petitioner and 1st Respondent and the 1st Respondent has no control over the Petitioners. The 2nd Respondent alone deploys supervisor who supervises the work of Petitioners and as per practice and convention followed by department whenever a contractor is engaged to operate and maintain physical and mechanical installations standard log books are provided with the contractor. As per the terms of contract, the 2nd Respondent alone made entries in the register and the 1st Respondent has not in any way connected with the leave applications of Petitioners. The duty roster of Petitioners is prepared and issued by 2nd Respondent and the 1st Respondent is not at all involved in this process. The discipline and control over the Petitioners is not exercised by Airports Authority of India. As per agreement, the contractor alone has to employ qualified engineer/technical staff for supervision of works and to take instructions from department Engineer-in-charge. Leave application of contract labourers are addressed to the respective contractors and leave are granted by respective contractors only. It is not correct to say that Petitioners are paid their salary directly by Airport Authority of India. Payments are made only to contractors by Airport Authority of India and its officials only witness the payment made to the Petitioners. It is not correct to say that the work is perennial in nature. Only in view of the frequent problem with the two lifts that as a temporary measure, the work has been given to contractor w.e.f. 1995. This Respondent recruiting employees as per rules framed by the Airport Authority of India. Lift operators should possess the qualification of matric with Science and experience of minimum two years in the same line and age should be below 25 years. The Petitioners are continued only because of the order of status quo granted by the Madras High Court in Writ Petition. It is not part of the statutory duty of Airports Authority of India to maintain

lift operators or lift operations. This is a passenger facility and the 1st Respondent has already made arrangements to engage four lift operators on regular basis. Section 12(3)(2) of Airports Authority of India Act will not apply to the facts and circumstances of the case. Operating lifts for passengers is not the part of core activity of Airports Authority of India. Already, the 1st Respondent engaged four persons on regular basis, therefore, there is no necessity for the services of Petitioners. Hence, for all these reasons, the Respondent prays that the claim may be dismissed with costs.

5. In these circumstances, the points for my consideration are —

- (i) "Whether the dispute raised by the Petitioners against the 1st Respondent/Management to declare them as workers of 1st Respondent with effect from the date of their joining of service and for granting all benefits applicable to the employees of 1st Respondent is justified?"
- (ii) "To what relief the Petitioners 2 to 9 are entitled?"

Point No. 1 :

6. When the matter was taken up for enquiry, the 1st Petitioner Sri R. Sanma neither appeared before this Court nor filed his Claim Statement and there was no representation on his behalf. Therefore, the 1st Petitioner was called absent and set ex parte. The contention of the Petitioners 2 to 9 are that they are lift operators under the 1st Respondent/Management from the year 1985 namely International Airport Authority of India. Even though the 1st Respondent called for tenders and alleged that they have accepted the tender quoted by the 2nd Respondent, the Petitioners were not aware of the contract entered into between the 1st and 2nd Respondents and they further alleged that there are seven lifts in the 1st Respondent airport and out of these, two lifts are manned by Petitioners and operation of the lift is essential part of the activity of the 1st Respondent. Since they are doing the same work as that of the regular lift operators of the 1st Respondent, they are the employees under the 1st Respondent and the so-called contract between the 1st and 2nd Respondent is sham and nominal and it was made only to deny the legal rights of the Petitioners.

7. As against this, the 1st Respondent who is the contesting Respondent in this dispute alleged that the Petitioners are employees of the 2nd Respondent namely M/s. Sai Elevators who is the contractor for maintenance and operation of the two lifts. The 1st Respondent has already got four operators for the lift operation and they are regular employees of the 1st Respondent and since the four operators who are on regular basis are enough for the purpose of two lifts which are to be manned for the purpose of VIPs and to facilitate the handicapped persons, the services of Petitioners are no longer required and in the

event of the contract is terminated, the 1st Respondent does not intend to engage any other contract labourers. Only at the initial stage, some of the lifts were not in good condition, the 1st Respondent called for tenders for maintenance and operation of the units and awarded the contract to the 2nd Respondent. During 1997, the Petitioners who are employees of the 2nd Respondent filed Writ Petition No. 6707/97 for regularisation of their services in 1st Respondent and since they obtained status quo, the 1st Respondent has no other go except to continue the contract with the 2nd Respondent. Further, the 1st Respondent contended that Petitioners do not have any right to seek regularisation and there is no employer-employee relationship between the 1st Respondent and Petitioners and he has no control over the Petitioners as per the terms of contract and only the 2nd Respondent deploys a supervisor who supervises the work of Petitioner. As such, this Respondent prays this Tribunal to dismiss the claim of the Petitioners.

8. On behalf of the I Party, one of the Petitioners namely Sri Karthikeyan was examined as WW1 and they have produced 7 documents on their side. Out of this Ex. W1 to W3 are alleged to be attendance registers and log book and copy of temporary passes issued to Petitioners respectively. Ex. W4 is the details of service particulars of Petitioners. Ex. W5 is the copy of representation given by Petitioners and Ex. W6 series is the copy of duty roster given to Petitioner and Ex. W7 is the copy of leave letter given by WW1 to Junior Engineer of 1st Respondent.

9. As against this, on the side of the Respondent one Mr. V. Balasubramanian, DGM (Law) of the 1st Respondent was examined as MW1 and on the side of the Respondent Ex. M1 to M9 were marked. Ex. M1 is the copy of agreement entered into between the 1st and 2nd Respondent. Ex. M2 is the copy of order passed by the High Court in WMP No. 10988/97 in W.P. 6707/97. Ex. M3 is the copy of contract awarded to 2nd Respondent. Ex. M4 is the copy of order of extension given to 2nd Respondent dated 30-9-97. Ex. M-5 is the copy of order of extension given to 2nd Respondent dated 21-03-05. Ex. M6 is the copy of job specification for the said contract. Ex. M7 is the copy of award and Ex. M8 is the copy of agreement dated 26-6-95 and Ex. M9 is the copy of letter sent by contractor/2nd Respondent for extension of contract.

10. Learned counsel for the Petitioner contended that the 1st Respondent International Airport Authority of India is an authority constituted under National Airport Authority Act, 1985 and it is a State within the meaning of Article 12 of Constitution and Section 12 of National Airport Authority Act says among other things, it is the function of authority to plan, develop, construct and maintain runways, taxiways, aprons and terminals and ancillary buildings at the aerodrome and civil enclaves. As a part of its function, the 1st Respondent has installed in Kamaraj

Domestic Terminal (KDT) lifts and in that building there are nine lifts, though according to 1st Respondent seven lifts are unmanned and two lifts are manned for the purpose of attending VVIPs and handicapped persons. Though the 1st Respondent alleged that they have engaged four lift operators for the two lifts meant for VVIPs and handicapped persons, even for consideration, if these lifts work round the clock in three shifts, they require at least six persons besides that they have to engage in the event of leave or absenteeism. With regard to the above six persons, it is the admitted case of the Respondent that the Petitioners herein operate those two lifts and while doing the same they have done the same nature of work as that of four regular lift operators. Further, it cannot be said that even assuming for argument sake that VVIPs and handicapped persons will use only the two specific manual lifts and they can use any lifts provided by Airport Authority of India. Since the 1st Respondent is a statutory authority and is a State within the meaning of article 12 of the constitution, for the same kind of work, when the 1st Respondent engages four lift operators directly, they cannot engaged eight lift operators through a so-called contractor and call it as a contract system and it only means discriminatory and in violation of Article 14 & 16 of Constitution. Secondly, when there is a statutory duty cast upon the 1st Respondent under Section 12 of National Airport Authority Act to maintain airport buildings and lift operation as a part of that activity and four lift operators have been engaged to perform that duty directly, the 1st Respondent cannot be permitted to state that the eight other employees, who are Petitioners herein performing the same statutory duties are not their employees. Thirdly, when the lift operation is part of function under Section 12 of National Airport Authority Act, 1985, 1st Respondent cannot contend that these employees who have been engaged to perform the statutory duties are not their employees. As an employer the 1st Respondent cannot engage some directly and some indirectly to operate the lifts and cannot say that they are contract workers. Learned counsel for the Petitioner further contended that in para 14 of Counter Statement, the 1st Respondent has frankly admitted that in Mumbai and Delhi, the Airport Authority employees lift operators directly and further stated that even in Chennai, the Airport Authority has engaged four lift operators directly and under such circumstances, it is not clear as to how the services of these Petitioners are not required. Though they alleged that operating of lifts for passengers is not a part of core activity, they have not chosen to say how it is not so. When they have admitted that lift operation is a passenger facility, they cannot say that it is not their duty to provide lift operation to the passengers. When they have admitted that there are nine lifts in the airport and when they have admitted that four regular employees were appointed for lift operation, they cannot deny that these Petitioners in this dispute are not necessary for lift operation which is an essential activity. Apart from this argument, learned counsel

for the Petitioner argued without prejudice to the above contention that the so-called contract between the 1st and 2nd Respondent is sham and nominal.

11. We will come to the contention of the Petitioner with regard to the contract is sham and nominal subsequently.

12. But, as against the contention of the learned counsel for the Petitioner, learned counsel for the Respondent contended that the Central Govt. has not issued any notification under Section 10 of Contract Labour (Regulation & Abolition) Act prohibiting the employment of contract labour in the field of lift operators. The contract entered into between the 1st and 2nd Respondent is for maintenance as well as operation of lifts, therefore, it cannot be said to be contract labourers. Though the Airport Authority of India has got nine lifts and out of the nine lifts, seven lifts have automatic operation and only two lifts which the Airport Authority of India considers that are necessary for the purpose of VIPs and to facilitate the physically handicapped persons, the services of contract labourers are required. At the initial stage, some of the lifts were not in good condition, therefore, the Respondent called for tenders and awarded the contract to the 2nd Respondent. Further, the 1st Respondent employed four operators to man the lifts during VIP movement or to facilitate handicapped passengers. Since the four operators on regular basis are enough for the purpose of two lifts which are to be manned for the purpose of VIPs and handicapped passengers, there is no necessity for the 1st Respondent to engage the Petitioners. Only at the initial stage when some of the lifts were not in good condition, the 1st Respondent called for tenders for operation and maintenance of units. Further though the Petitioners have taken the stand that they were interviewed by the Assistant Engineer of 1st Respondent and selected for the post, they have not made any allegation in the Claim Statement nor before any authority prior to the dispute raised by them. It is only an afterthought and no reliance can be placed on this contention that they have been interviewed and selected by the Respondent/Management. Even as per the contract entered into between the 1st and 2nd Respondents, it is clearly stated that contractor alone shall employ operators and also employ one lift mechanic as supervisor, who in addition to supervising, can attend minor repairs in the lifts. The 2nd Respondent is a genuine contractor who has experience in maintenance and operation of lifts not only for the Airport Authority of India but for other persons also and under no stretch of imagination, it over the Petitioners at any time. As per the agreement, the contractor has to employ qualified engineers or technical staff for supervision of works and to take instructions from the Department i.e. Engineer in-charge. Though the Petitioners have produced Ex. W7 which alleged to have been leave letters sent to 1st Respondent/Management by WW1, it was alleged to have been sent

subsequent to the raising of this dispute only recently and further, there is no proof that prior to this incident the Petitioners have sent any leave letters addressed to 1st Respondent authorities for leave. Ex. W7 is only created for the purpose of this case subsequent to the raising of this dispute. Though the Petitioners alleged that they have received salary from the 1st Respondent/Management, they have not produced even a single document to show that they have received the payment of wages through 1st Respondent/Management. On the other hand, as per the contract, the 1st Respondent has to pay the contract amount to the 2nd Respondent contractor and the Airport Authority of India Officers only witnessed the payment made to the Petitioners by the 2nd Respondent namely M/s. Sai Elevators and therefore, it is not established by the Petitioners that control and supervision was made by the 1st Respondent/Management at any time. Under such circumstances, it is false to allege that the contract entered into between the 1st and 2nd Respondent is sham and nominal and they are employees of the 1st Respondent. It is his further argument that National Airport Authority Act is not applicable to 1st Respondent/Management and it is only Airport Authority of India Act, 1984 alone is applicable to the 1st Respondent and therefore, the argument of learned counsel for the Petitioner is not tenable. No doubt, lift operation is a passenger facility and it is not part of the statutory duty of Airports Authority of India to maintain lift operators or lift operations. Further, the 1st Respondent/Management has already made arrangements to engage four lift operators on regular basis and therefore, in these circumstances, the services of Petitioners are no longer required and hence, the question of violation of Article 14 would not arise.

13. Then again, the learned counsel for the Petitioner contended that it is futile to contend that the Respondent has no statutory duty to provide passenger facility namely lift operation in the airport of Chennai, when they have admitted that they have to maintain the airport building, lift operation is also a passenger facility, they have to necessarily provide the same to passengers and further, when they have stated that four lift operators are appointed directly by the respondent/Management, they have to explain how the four operators can maintain nine lifts provided by Airports Authority of India. Therefore, when there is a statutory duty cast upon the Respondent/management and when they have appointed four lift operators on permanent basis, they cannot be permitted to contend that the Petitioners who are performing the same statutory duty are not their employees and he has also relied on the rulings of Supreme Court reported in JT 2003(7) SC 95 MISHRA DHATU NIGAM LTD. Vs. V.M. VENKATAIAH AND OTHERS and JT 2003 (7) SC 149 NATIONAL THERMAL POWER CORPORATION LTD. Vs. KARRI POTHURAJU AND OTHERS wherein the question arose that appellants namely industrial establishment

required by Factories Act to maintain canteen for the benefit of their workmen and that they engaged workers through contractor, a claim was raised by the workers for regularisation of their services and when the Supreme Court has to consider whether such claim is tenable, it has held that *"since the appellants (industrial establishment) were required by Factories Act to provide canteen facilities and since the workers engaged through the contractors have been held to be employees of principal employers, the canteen workers engaged through contractors are entitled for regularisation of their services."* Learned counsel for the Petitioner further contended that though the Respondent contended that there is no relationship of master and servant between the 1st Respondent and Petitioners, even in the contract with regard to terms and conditions the contractor shall submit list of operators with name, qualification to the Engineer in-charge before employing them. Further, in the contract, it is mentioned that Engineer in-charge himself or Executive Engineer or Assistant Engineer, as the case may be, who shall supervise the work and be in-charge of the work and who shall sign the contract on behalf of the International Airports Authority of India. Further, in the terms and conditions it is also mentioned that any malfunction of system shall be immediately recorded in log book and informed to the Engineer in-charge. No doubt, it is mentioned that the contract shall employ one lift mechanic as supervisor. But it is not established by the Respondent/Management that whether the 2nd Respondent has appointed any mechanic as supervisor for supervising the work of the Petitioners. On the other hand, it is established from the evidence of Petitioners and also documents produced by them that it is only the officers and staff of 1st Respondent alone had supervised the work of the Petitioners. Further, even in the contract it is mentioned that the deployment of operators will be decided by Engineer in-charge wherever required in any of the building and duty timings shall be as fixed by Engineer-in-charge. Therefore, the whole control and supervision was done by the Respondent/Management and there is no evidence to say that 2nd Respondent namely the contractor has supervised the work of Petitioners. No doubt, the Petitioners were paid wages by the contractor, but it is only to deny the claim of the Petitioners and this contract was created and the contract is only sham and nominal document.

14. But, as against this, learned counsel for the Respondent relied on the rulings reported in 2004 1 SCC 126 RAMSINGH AND OTHERS Vs. UNION TERRITORY, CHANDIGARH & ORS. wherein the Department of Engineering, Chandigarh Administration is maintaining electricity supply to Govt. medical college and hospital, Chandigarh and the appellants in that case are trained electricians and skilled workmen and they have been employed through different contractors for various jobs

and they have approached the CAT since their work is perennial in nature and their work has to be regularised wherein they have contended that Engineering department of Chandigarh administration has retained complete control on the employment, work and continuance of service of the contract labour and they further argued that maintenance of supply of electricity to the hospital and college premises being a work of permanent and perennial nature, employment of staff for it through contractor is an unfair labour practice. On the other hand, Respondent administration contended that since they have no adequate staff to execute the job, the work has been awarded to contractors through the process of tender. No doubt, in certain terms of contract the supervision and control was exercised by the management, it is explained that to ensure efficiency and quality of work which is of technical in nature to be carried out under the technical guidance and as the contractors' availability at the site for all 24 hours is not possible, the work of supervision is kept with the regular staff of Engineering Department attached to college and hospital and in the event of emergency the employees have to seek guidance from the available staff at the hospital. Only for this reason, they have incorporated the conditions in the contract that contract employees would be directly under the control of department and such control is only for the purpose of ensuring efficiency and quality of work. Relying on this, learned counsel for the Respondent contended that since the lift operation is necessary for all the 24 hours and since to ensure efficiency and quality of work, which is technical in nature to be carried out under technical guidance and availability of contractor cannot be expected in all the 24 hours, they have inserted certain conditions but on this score, it cannot be said that the entire control and supervision was with the 1st Respondent/Management. He further contended that in determining relationship of employer and employee, no doubt control is one of the important tests but is not to be taken as sole test. Under such circumstances, all other relevant facts and circumstances are to be considered including the terms and conditions of contract. Even in the above cited Supreme Court judgement, the Supreme Court has held that *"an integrated approach is needed and integration test is one of the relevant tests and it has further stated that it is to be considered by examining whether the person was fully integrated into employer's concern or remained apart from and independent of it. The other factors which may be relevant are who has the power to select and dismiss, to pay remuneration, deduct insurance contribution, organise the work, supply tools and materials and what are the mutual obligations between them."* In this case, in the contract it is clearly stated that eight operators must be supplied by the 2nd Respondent to the 1st Respondent/Management and wages of eight contract labourers are paid to the 2nd Respondent namely the contractor. It is not the case of the Petitioners that 1st Respondent has deducted insurance, contributions and other deductions.

Only when the employer retains or assumes control over the means and method by which the work of a contractor is to be done, it can be said that the relationship of employer and employee exists. But, in this case though the Petitioner alleged that leave applications were sent to 1st Respondent/Management, it was not substantially proved by any oral or documentary evidence that the control is with the 1st Respondent/Management. Further, WW1 has clearly admitted that no memo was issued to any one of the Petitioners for taking disciplinary action by the 1st Respondent which clearly establishes that the control was not with the 1st Respondent and it is only with the 2nd Respondent. Further, learned counsel for the Respondent relied on the rulings reported in 1992 SC 573 CESC LTD. Vs. SUBHASH CHANDRA BOSE & ORS wherein the Supreme Court had an occasion to go into the question of supervision, it has held that *"when an employee is put to work under the eye and gaze of the principal employer or his agent, where he can be watched secretly, accidentally or occasionally while the work is in progress, so as to scrutinise the quality thereof and to detect faults therein, as also put to timely remedial measures by directions given, finally leading to satisfactory completion and acceptance of the work that would in our view the supervision for the purpose of Section 2(9) of the Provident Funds & Miscellaneous Provisions Act."* In that case, where the Corporation principal employer engaged various electrical contractors under Electricity Act and Rules to carry out sophisticated work of excavation, conversion of overhead electric lines and laying of underground cables under public roads as well as for repair and maintenance of the aforesaid works, in which the Supreme Court has held that *"checking of work after the same is completed and supervision of work while in progress is not the same. These have different perceptions. Checking of work on its completion is an activity, the purpose of which is to finally accept or reject the work, on the touchstone of job specifications. Thereafter, if accepted, it has to be paid for. Undisputably, electrical contractors had to be paid on the acceptance of the work. This step by no means is supervision exercised"*. Ultimately, the Supreme Court has held that *"employees working under Respondent to perform their duties in execution of works, repairs and maintenance thereof in connection with the generation, transmission and distribution of the electrical energy by the Corporation licensee, the Corporation is the principal employer. The Respondents' immediate employers execute the work etc. under the supervision of corporation as its agents."* Further, it is argued by the learned counsel for the Respondent that the Supreme Court has also in number of cases held that *"it is even not proper for the Industrial Adjudicator to apply the ratio of one decision to the exclusion of other without considering the facts and circumstances involved therein"* and therefore, the facts and circumstances in this case clearly shows that the Petitioners are only contract labourers under the contractor

namely 2nd Respondent and therefore, they are not entitled to any relief as claimed by them. It is his further argument that sanctioned strength of lift operators at Chennai Airport is only four and already the 1st Respondent has employed four regular employees for the lift operation and under such circumstances, the Petitioners' claim for regularisation cannot be granted.

15. But, here again, learned counsel for the Petitioner contended that the Respondent has not made any allegation that the sanctioned strength of lift operators in 1st Respondent Chennai Airport is only four. No doubt, the 1st Respondent alleged that they have appointed four regular employees for lift operation, but this cannot be stated that the sanctioned strength of lift operators in Chennai Airport is only four for lift operation and it is only an afterthought and they have not produced any document to show that sanctioned strength is only four. Further, when they have admitted that lift operation is a passenger facility and they have employed four regular employees, it cannot be said that Petitioners who have done the same work as that of regular employees are not employees under the 1st Respondent and their work is not necessary for upkeep of airport.

16. Then again, learned counsel for the Respondent relied on the rulings reported in 2006 I CTC 414 STATE OF KARNATAKA AND OTHERS Vs. KGSD CANTEEN EMPLOYEES WELFARE ASSOCIATION AND OTHERS wherein the Supreme Court while considering regularisation has clearly stated that *"State is obligated to make appointments only in fulfilment of its constitutional obligation as laid down in Articles 14, 15 and 16 of Constitution of India and not by way of any regularisation scheme. In our constitutional schemes, all eligible persons similarly situated must be given opportunity to apply for and receive considerations for appointments at the hands of authorities of the State. In our democratic polity an authority howsoever high it may be cannot act in breach of an existing statute or rules which hold the field"* and it further held that *regularisation cannot be claimed as a matter of right and an illegal appointment cannot be legalised by taking recourse to regularisation. What can be regularised is an irregularity and not an illegality. The constitutional scheme which the country has adopted does not contemplate any back door appointment."* Relying on this judgement of Supreme Court, learned counsel for the Respondent contended that under any stretch of imagination, the Petitioners cannot claim regularisation since the regularisation can be made only for the sanctioned posts. In this case, when there is no sanctioned posts for lift operators, the Petitioners cannot claim regularisation.

17. I find much force in the contention of the learned counsel for the Respondent. Though the Petitioner alleged that the control and supervision are with the 1st Respondent and have shown certain provisions in the contract, as

contended by the learned counsel for the Respondent, only to ensure efficiency and quality of work, which is of technical in nature to be carried out under technical guidance and the contractor's availability at the site for all the 24 hours is not possible, the said conditions were incorporated in the contract and on that ground, it cannot be said that the entire control and supervision of the Petitioners were with the 1st Respondent. Though the Petitioners have produced attendance register and duty roaster, there is no satisfactory evidence that these registers were maintained by the 1st Respondent as supervisor of the duties of Petitioners. Further, it is clearly established by the Respondent/Management that even in the contract it is clearly stated that log book has to be maintained by the contractor and therefore, merely the officers of the 1st Respondent has put their initials in the log book and also in attendance register, it cannot be said that these registers were maintained by 1st Respondent. I find much force in the contention of the learned counsel for the 1st Respondent.

18. Again, the learned counsel for the Petitioner contended that though the Respondent alleged that contract is a genuine contract, the 2nd Respondent has not been examined by the 1st Respondent and he remained ex parte and under such circumstances, it cannot be said that the contract is a genuine contract and it is not established before this Court the genuineness of the contract.

19. But, here again, I am not inclined to accept the contention of the learned counsel for the Petitioner because when the Petitioners have produced all the documents which are maintained by the contractor namely 2nd Respondent, I think, the 2nd Respondent is supporting the contention of the Petitioners only for the purpose of this case. Therefore, I find this point against the Petitioners.

#### Point No. 2

The next point to be decided in this case is to what relief the Petitioners 2 to 9 are entitled ?

20. In view of my foregoing findings, I find the Petitioners 2 to 9 are not entitled to any relief. No Costs.

21. Thus, the reference is answered accordingly.

(Dictated to the P.A., transcribed and typed by him, corrected and pronounced by me in the open court on this day the 25th April, 2006).

K. JAYARAMAN, Presiding Officer

#### Witnesses examined :—

For the I Party/Petitioner : WW1 Sri Karthikeyan

For the II Party/Management : MW1 Sri V.  
Balasubramanian

#### Documents Marked :

##### For the I Party/Petitioner :—

Ex. No.	Date	Description
W1 series	Nil	Extract of Attendance register
W2 series	Nil	Extract of Log book
W3 series	Nil	Xerox copy of the temporary passes issued to Petitioners
W4	Nil	Xerox copy of the details of service particulars of Petitioners
W5	03-04-97	Xerox copy of the letter from Petitioners to 1st Respondent
W6	Nil	Xerox copy of the duty roaster of Petitioners
W7	30-08-97	Xerox copy of the letter from Sri V. Karthikeyan to 1st Respondent

##### For the II Party/Management :—

Ex. No.	Date	Description
M1	12-08-96	Xerox copy of the agreement entered into between 1st and 2nd Respondents
M2	13-06-92	Xerox copy of the order passed by the High Court in WMP No. 10988/97 in W.P. 6707/97.
M3	07-08-96	Xerox copy of the letter from 1st Respondent to 2nd Respondent
M4	30-09-97	Xerox copy of the letter from 1st Respondent to 2nd respondent
M5	21-03-05	Xerox copy of the letter from 1st Respondent to 2nd Respondent
M6	Nil	Xerox copy of the job specification
M7	16-06-95	Xerox copy of the letter from 1st Respondent to 2nd Respondent
M8	26-06-95	Xerox copy of the agreement entered into between 1st Respondent and 2nd Respondent
M9	May, 96	Xerox copy of the letter from 2nd Respondent to 1st Respondent

## श्रम एवं रोजगार मंत्रालय

नई दिल्ली, 23 जून, 2006

का. आ. 2646.—केन्द्रीय सरकार संतुष्ट हो जाने पर कि लोकहित में ऐसा करना अपेक्षित था, औद्योगिक विवाद अधिनियम, 1947 (1947 का 14) की धारा 2 के खण्ड (द) के उप-खण्ड (vi) के उपबन्धों के अनुसरण में भारत सरकार के श्रम मंत्रालय की अधिसूचना संख्या का.आ. .... दिनांक 24-11-2005 द्वारा भारतीय खाद्य निगम जो कि औद्योगिक विवाद अधिनियम, 1947 (1947 का 14) की प्रथम अनुसूची की प्रविष्टि 6 में शामिल है, को उक्त अधिनियम के प्रयोजनों के लिए दिनांक 28-12-2005 से छः मास की कालावधि के लिए लोक उपयोगी सेवा घोषित किया था;

और केन्द्रीय सरकार की राय है कि लोकहित में उक्त कालावधि को छः मास की और कालावधि के लिए बढ़ाया जाना अपेक्षित है ;

अतः अब, औद्योगिक विवाद अधिनियम, 1947 (1947 का 14) की धारा 2 के खण्ड (द) के उप-खण्ड (vi) के परन्तुक द्वारा प्रदत्त शक्तियों का प्रयोग करते हुए, केन्द्रीय सरकार उक्त उद्योग को उक्त अधिनियम के प्रयोजनों के लिए दिनांक 28-6-2006 से छः मास की कालावधि के लिए लोक उपयोगी सेवा घोषित करती है ।

[फा. संख्या एस-11017/5/91-आई. आर. (पी. एल.)]

गुरजोत कौर, संयुक्त सचिव

## MINISTRY OF LABOUR AND EMPLOYMENT

New Delhi, the 23rd June, 2006

S.O. 2646.—Whereas the Central Government having been satisfied that the public interest so requires that in pursuance of the provisions of sub-clause (vi) of the clause (n) of Section 2 of the Industrial Disputes Act, 1947 (14 of 1947), declared by the Notification of the Government of India in the Ministry of Labour S.O. No. .... dated 24-11-2005 the service in the Food Corporation of India which is covered by item 6 of the First Schedule to the Industrial Disputes Act, 1947 (14 of 1947) to be a public utility service for the purpose of the said Act, for a period of six months from the 28th December, 2005.

And whereas, the Central Government is of opinion that public interest requires the extension of the said period by a further period of six months.

Now, therefore, in exercise of the powers conferred by the proviso to sub-clause (vi) of clause (n) of Section 2 of the Industrial Disputes Act, 1947 (14 of 1947), the Central Government hereby declares the said industry to be a public utility service for the purposes of the said Act, for a period of six months from the 28th June, 2006.

[File No. S-11017/5/91-IR(PL)]

GURJOT KAUR, Jt. Secy.

नई दिल्ली, 26 जून, 2006

का. आ. 2647.—केन्द्रीय सरकार संतुष्ट हो जाने पर कि लोकहित में ऐसा करना अपेक्षित था, औद्योगिक विवाद अधिनियम, 1947 (1947 का 14) की धारा 2 के खण्ड (द) के उप-खण्ड (vi) के उपबन्धों के अनुसरण में भारत सरकार के श्रम मंत्रालय की अधिसूचना संख्या का.आ. 96 दिनांक 28-12-2004 द्वारा कोयला उद्योग जो कि औद्योगिक विवाद अधिनियम, 1947 (1947 का 14) की प्रथम अनुसूची की प्रविष्टि 4 में शामिल है, को उक्त अधिनियम के प्रयोजनों के लिए दिनांक 28-12-2005 से छः मास की कालावधि के लिए लोक उपयोगी सेवा घोषित किया था;

और केन्द्रीय सरकार की राय है कि लोकहित में उक्त कालावधि को छः मास की और कालावधि के लिए बढ़ाया जाना अपेक्षित है ;

अतः अब, औद्योगिक विवाद अधिनियम, 1947 (1947 का 14) की धारा 2 के खण्ड (द) के उप-खण्ड (vi) के परन्तुक द्वारा प्रदत्त शक्तियों का प्रयोग करते हुए, केन्द्रीय सरकार उक्त उद्योग को उक्त अधिनियम के प्रयोजनों के लिए दिनांक 28-6-2006 से छः मास की कालावधि के लिए लोक उपयोगी सेवा घोषित करती है ।

[फा. संख्या एस-11017/2/97-आई. आर. (पी. एल.)]

गुरजोत कौर, संयुक्त सचिव

New Delhi, the 26th June, 2006

S.O. 2647.—Whereas the Central Government having been satisfied that the public interest so requires that in pursuance of the provisions of sub-clause (vi) of the clause (n) of Section 2 of the Industrial Disputes Act, 1947 (14 of 1947), declared by the Notification of the Government of India in the Ministry of Labour S.O. No. 96 dated 28-12-2004 the service in the Coal Industry which is covered by item 4 of the First Schedule to the Industrial Disputes Act, 1947 (14 of 1947) to be a public utility service for the purpose of the said Act, for a period of six months from the 28th December, 2005.

And whereas, the Central Government is of opinion that public interest requires the extension of the said period by a further period of six months.

Now, therefore, in exercise of the powers conferred by the proviso to sub-clause (vi) of clause (n) of Section 2 of the Industrial Disputes Act, 1947 (14 of 1947), the Central Government hereby declares the said industry to be a public utility service for the purposes of the said Act, for a period of six months from the 28th June, 2006.

[File No. S-11017/2/97-IR(PL)]

GURJOT KAUR, Jt. Secy.

नई दिल्ली, 26 जून, 2006

का. आ. 2648.—कर्मचारी राज्य बीमा अधिनियम, 1948 (1948 का 34) की धारा 1 की उप-धारा (3) द्वारा प्रदत्त शक्तियों का प्रयोग करते हुए, केन्द्रीय सरकार एतद्द्वारा 01 जुलाई, 2006 को उस तारीख

के रूप में नियत करती है, जिसको उक्त अधिनियम के अध्याय 4 (44 व 45 धारा के सिवाय जो पहले ही प्रवृत्त हो चुकी है) अध्याय 5 और 6 [धारा 76 की उप-धारा (1) और धारा 77, 78, 79 और 81 के सिवाय जो पहले ही प्रवृत्त की जा चुकी है] के उपबन्ध केरल राज्य के निम्नलिखित क्षेत्रों में प्रवृत्त होंगे, अर्थात्,

“जिला कन्नूर के तलशेरी तालूक में पेरिंगान्तूर राजस्व ग्राम तथा तलिपरम्बा तालूक में कन्कोल राजस्व ग्राम”

[फा. संख्या एस-38013/44/06-एस. एस.-1]

के. सी. जैन, निदेशक

New Delhi, the 26th June, 2006

**S.O. 2648.**—In exercise of the powers conferred by sub-section (3) of Section 1 of the Employees' State Insurance Act, 1948 (34 of 1948) the Central Government hereby appoints the 1st July, 2006 as the date on which the provisions of Chapter IV (except Sections 44 and 45 which have already been brought into force) and Chapter V and VI [except Sub-section (1) of Section 76 and Sections 77, 78, 79 and 81 which have already been brought into force] of the said Act shall come into force in the following areas in the State of Kerala, namely:—

“KANKOL IN THALIPARAMBA TALUK AND PERINGANTHUR IN THALASSERI TALUK IN KANNUR DISTRICT.”

[No. S-38013/44/2006-S.S.I.]

K. C. JAIN, Director

नई दिल्ली, 26 जून, 2006

**का. आ. 2649.**—कर्मचारी राज्य बीमा अधिनियम, 1948 (1948 का 34) की धारा 1 की उप-धारा (3) द्वारा प्रदत्त शक्तियों का प्रयोग करते हुए, केन्द्रीय सरकार एतद्द्वारा 01 जुलाई, 2006 को उस तारीख के रूप में नियत करती है, जिसको उक्त अधिनियम के अध्याय 4 (44 व 45 धारा के सिवाय जो पहले ही प्रवृत्त हो चुकी है) अध्याय 5 और 6 [धारा 76 की उप-धारा (1) और धारा 77, 78, 79 और 81 के सिवाय जो पहले ही प्रवृत्त की जा चुकी है] के उपबन्ध केरल राज्य के निम्नलिखित क्षेत्रों में प्रवृत्त होंगे, अर्थात्,

“जिला कोल्लम के पत्तनापुरम तालूक में राजस्व ग्राम अयिरनल्लूर”

[संख्या : एस-38013/45/06-एस. एस.-1]

के. सी. जैन, निदेशक

New Delhi, the 26th June, 2006

**S.O. 2649.**—In exercise of the powers conferred by sub-section (3) of Section 1 of the Employees' State Insurance Act, 1948 (34 of 1948) the Central Government hereby appoints the 1st July, 2006 as the date on which the provisions of Chapter IV (except Sections 44 and 45 which have already been brought into force) and Chapter V and VI [except Sub-section (1) of Section 76 and Sections 77, 78, 79 and 81 which have already been brought into force] of the said Act shall come into force in the following areas in the State of Kerala, namely:—

“AYIRANALLUR IN PATHANAPURAM TALUK IN KOLLAM DISTRICT.”

[No. S-38013/45/2006-S.S.I.]

K. C. JAIN, Director

नई दिल्ली, 26 जून, 2006

**का. आ. 2650.**—कर्मचारी राज्य बीमा अधिनियम, 1948 (1948 का 34) की धारा 1 की उप-धारा (3) द्वारा प्रदत्त शक्तियों का प्रयोग करते हुए, केन्द्रीय सरकार एतद्द्वारा 01 जुलाई, 2006 को उस तारीख के रूप में नियत करती है, जिसको उक्त अधिनियम के अध्याय 4 (44 व 45 धारा के सिवाय जो पहले ही प्रवृत्त हो चुकी है) अध्याय 5 और 6 [धारा 76 की उप-धारा (1) और धारा 77, 78, 79 और 81 के सिवाय जो पहले ही प्रवृत्त की जा चुकी है] के उपबन्ध केरल राज्य के निम्नलिखित क्षेत्रों में प्रवृत्त होंगे, अर्थात्,

“जिला मलपुरम के तिरूर तालूक में माराक्कारा” ।

[संख्या : एस-38013/46/06-एस. एस.-1]

के. सी. जैन, निदेशक

New Delhi, the 26th June, 2006

**S.O. 2650.**—In exercise of the powers conferred by sub-section (3) of Section 1 of the Employees' State Insurance Act, 1948 (34 of 1948) the Central Government hereby appoints the 1st July, 2006 as the date on which the provisions of Chapter IV (except Sections 44 and 45 which have already been brought into force) and Chapter V and VI [except Sub-section (1) of Section 76 and Sections 77, 78, 79 and 81 which have already been brought into force] of the said Act shall come into force in the following areas in the State of Kerala, namely:—

“Marakkara in Tirur Taluk in Malappuram District.”

[No. S-38013/46/2006-S.S.I.]

K. C. JAIN, Director